



United States
of America

Congressional Record

PROCEEDINGS AND DEBATES OF THE 117th CONGRESS, FIRST SESSION

Vol. 167

WASHINGTON, MONDAY, SEPTEMBER 13, 2021

No. 157

House of Representatives

The House was not in session today. Its next meeting will be held on Tuesday, September 14, 2021, at 11 a.m.

Senate

MONDAY, SEPTEMBER 13, 2021

The Senate met at 3 p.m. and was called to order by the Honorable MAZIE K. HIRONO, a Senator from the State of Hawaii.

PRAYER

The Chaplain, Dr. Barry C. Black, offered the following prayer:

Let us pray.

Eternal God, who soars on the wind and stabilizes us through the challenges of life, we worship You. You remain the source for all our blessings. Your daily mercies prompt us to praise Your Name. Lord, You forgive our disobedience and clear our record of guilt.

Today, use our lawmakers for Your glory. Guide them along the best path for their lives as You fill them with Your peace. Lord, as they depend on You for each decision, surround them with Your unfailing love. Give us all pure hearts so that we may serve You with honor.

We pray in Your great Name. Amen.

PLEDGE OF ALLEGIANCE

The Presiding Officer led the Pledge of Allegiance, as follows:

I pledge allegiance to the Flag of the United States of America, and to the Republic for which it stands, one nation under God, indivisible, with liberty and justice for all.

APPOINTMENT OF ACTING PRESIDENT PRO TEMPORE

The PRESIDING OFFICER. The clerk will please read a communication to the Senate from the President pro tempore (Mr. LEAHY).

The legislative clerk read the following letter:

U.S. SENATE,
PRESIDENT PRO TEMPORE,
Washington, DC, September 13, 2021.

To the Senate:

Under the provisions of rule I, paragraph 3, of the Standing Rules of the Senate, I hereby appoint the Honorable MAZIE K. HIRONO, a Senator from the State of Hawaii, to perform the duties of the Chair.

PATRICK J. LEAHY,
President pro tempore.

Ms. HIRONO thereupon assumed the Chair as Acting President pro tempore.

RESERVATION OF LEADER TIME

The ACTING PRESIDENT pro tempore. Under the previous order, the leadership time is reserved.

RECOGNITION OF THE MAJORITY LEADER

The PRESIDING OFFICER. The majority leader is recognized.

BUSINESS BEFORE THE SENATE

Mr. SCHUMER. Madam President, first, I want to welcome back all of my colleagues from the August work period. As we return to Washington, as everyone knows, the Senate has a very busy schedule ahead of it.

On the nominations front, we will begin this week by holding a cloture vote on James Kvaal to be the Under Secretary of Education. Tomorrow, we will move the nominations of David Estudillo to be district judge of the Western District of Washington, Angel

Kelly to serve as district judge for the District of Massachusetts, and the Senate will also begin consideration of Veronica Rossman to be the circuit judge for the Tenth Circuit.

On the legislative front, the Senate will pick up exactly where we left off last month. We will continue our fight to preserve voting rights for millions of Americans, and, of course, we will continue working to pass President Biden's Build Back Better agenda and set our country on a path to prosperity for decades to come.

At the end of last work period, the Senate took two important steps to achieving that goal. First, we passed the bipartisan \$1 trillion infrastructure bill that will make historic investments in our Nation's physical infrastructure.

Second, Senate Democrats came together to pass a budget resolution with reconciliation instructions that will clear the way to pass a reconciliation bill with historic and transformative investments in American jobs, American families, and the fight against climate change.

Over the August State work period, I remained in constant communication with the chairs of the Senate's relevant committees, as well as with the Speaker and the White House, including the President. I am pleased to say we have made substantial progress in translating provisions of the budget resolution into policies we can pass into law.

As we continue our work over the next few weeks, I want to take a step back and explain why this legislation is so important.

• This "bullet" symbol identifies statements or insertions which are not spoken by a Member of the Senate on the floor.



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For far too long, millions of American families have worried that the American dream has increasingly fallen out of reach. Too many in the middle class are just struggling to stay there. Too many who are trying to get to the middle class find the ladder up steeper and steeper.

Today, the cost of raising a family, saving for college and retirement, getting a good-paying job and affording healthcare have become very, very hard. As a result, that sunny American optimism, so key to our national identity, has been replaced by a growing sourness and divisiveness in the land. We have to do better, and we will do better.

With this legislation, we have a once-in-a-generation opportunity to rebuild our economy and rekindle faith in America's future. It will include the largest tax cut for the middle class in a generation. It will include provisions that are both critically important and overwhelmingly popular with the American people, from strengthening childcare and education to making healthcare more affordable for millions. And, crucially, it will include unprecedented steps to fight the climate crisis and preserve our planet for the next generation.

After yet another summer marked by hurricanes, floods, and wildfires, we cannot hold off on taking action any longer. The world is looking to us for leadership on climate change. By achieving the emissions goals Democrats are laying out, we can reassert America's leadership.

And through it all, we are going to make sure that this bill is paid for and that those at the very top finally pay their fair share.

When this Senate majority began its work many months ago, our original task was to pass legislation that would get our country out of the depths of the COVID pandemic. Now, the legislation we will work on over the next 2 weeks will lay a new foundation for the future of our economy. It will restore the middle class in the 21st century and give many more Americans the opportunity to get there. Building ladders to middle class—that is what this is about, and that is what we are going to do.

The next few weeks will be crucial to achieving this goal, and I look forward to working with my colleagues to continue to deliver on our promise of big, bold change for the American people.

Of course, even as we work to deliver on our Build Back Better agenda, the House and Senate will also work on other important priorities that demand immediate attention, including passing a continuing resolution before the September 30 expiration of government funding, providing emergency funding to help those devastated by recent natural disasters, and helping resettle our Afghan allies and partners. I expect all of this to be done in a bipartisan and timely way.

Of course, over the next few weeks, the House and Senate must also come

together to address the debt ceiling. In America, when it is time to pay the bills, we follow through on our obligations, without exception. For a long time, addressing the debt ceiling was considered a routine and responsible step that both sides worked together to achieve. Even when President Trump was in office, Democrats worked three times with Republicans to suspend the debt ceiling because it was the right and obvious thing to do. We didn't pick excuses and say: Here is why we don't want to do it. We knew it was important and it was time to lay aside differences and move it forward.

But now, unfortunately, some of our Republican colleagues—even though they were eager to have Democrats support them when President Trump was President—now some of our Republican colleagues are reportedly contemplating a reckless idea, spearheaded by the Republican Senator from Wisconsin, to oppose any effort to raise the debt ceiling whatsoever. And, unfortunately and sadly, the Republican leader seems to be going along.

Let me be clear: taking the debt hostage and playing games with the full faith and credit of the United States is reckless, irresponsible, and will harm every single American. It is a complete nonstarter.

This is not just another political debate. It is about honoring our unbroken commitment to pay our debts and avoid another financial crisis at a crucial moment for our country.

Now it is important to remember that this is not about green-lighting future spending. This is about paying debt from past spending, which was incurred during the Trump administration and which received favorable votes from the majority of Republicans and Democrats.

Indeed, it is a new study that came out. According to the nonpartisan Congressional Research Service, the Trump administration incurred \$5.4 trillion in new debt after the debt ceiling was raised in 2019, up through his last day of office. So all of the new \$5 trillion in debt, bottom line, was caused under the Trump administration, not by Democratic spending—under the Trump administration, \$5.4 trillion from the last day the debt ceiling was raised in 2019 to the last day of Trump being in office.

Another report by the Treasury Department further states that, over the entirety of the Trump administration, that figure rose to as high as \$8 trillion.

Again, let me repeat this so my Republican colleagues hear it loud and clear. This is not about the Democrats incurring debt. Between the last time that the debt ceiling was raised in 2019 and the final day of the Trump administration—nothing to do with Biden or Democrats or anything in 2021—his administration added more than \$5 trillion to the national debt; and over the 4 years of Donald Trump, new debt totaled as much as \$8 trillion.

So both sides—both sides—have a responsibility to pay our bills. Both sides, led by the Republican Senate, incurred much of this new debt. Senators from both parties voted overwhelmingly in support of the many laws that contributed to this obligation.

In the middle of the COVID pandemic, the Congress came together under Donald Trump, when Donald Trump was President, to pass successive COVID relief laws, like the CARES Act, the PPP extension, and the "908 COVID deal" in December. Democrats and Republicans voted in huge numbers in support of these laws. Republicans voted to make these expenditures.

Now we must come together to do the responsible thing and pay those bills. Leader MCCONNELL assured the country in 2019, when Donald Trump was President, that we would "no doubt [raise the debt ceiling] on a bipartisan basis." Again, that is what McConnell said when Trump was President: We will "no doubt [raise the debt ceiling] on a bipartisan basis." He said, when Trump was President, failure to do so would be a "disaster."

Failure to do so now, Leader MCCONNELL, is an equal disaster. It doesn't matter who is President. We still incurred the bills. So I believe it should be no different this time around.

The United States has never, ever, defaulted on its debt. I can't imagine Republicans would want to be responsible for the first-ever default. We need to work together to raise the debt ceiling and avoid causing irreparable harm to our economy, still recovering from the devastation of the pandemic.

I would say to the business community and the financial community, let Leader MCCONNELL know, stop playing games with the debt ceiling.

VOTING RIGHTS

Mr. SCHUMER. Madam President, now on one final issue, on voting. Before the Senate concluded the previous work period, Republicans blocked multiple efforts to even debate voting rights legislation in the U.S. Senate.

Let me be clear: Republicans refusing to support anything on voting rights is not an excuse for Democrats to do nothing.

Over the recess, a number of my colleagues and I, including Senators KLOBUCHAR, MERKLEY, WARNOCK, MANCHIN, PADILLA, KAINE, KING, and TESTER, worked diligently to craft a revised voting rights piece of legislation.

This compromise proposal would protect the freedom to vote, end partisan gerrymandering, stop the scourge of dark money in our politics, among many other good things.

I applaud my colleagues for their hard work and their progress to come together with a very strong voting rights bill that all Democrats can support, while respecting the role of States and promoting greater confidence in our democracy.

Now Senator MANCHIN has been having discussions with our Republican

colleagues to try and garner support for this important legislation. This is a good proposal and I encourage all my Senate colleagues to support it.

That said, we must be honest about the facts. The Republican-led war on democracy has only worsened in the last few weeks. Most notably, the Governor of Texas recently signed into law a vile new voter suppression bill that ranks as one of the most draconian and undemocratic in living memory. Meanwhile, partisans across the country are sharpening their knives for a coming spate of vicious gerrymandering, which further threatens to divide our politics.

This is unacceptable. So the Senate must act. I intend to hold a vote in the Senate as early as next week on voting rights legislation. Time—time—is of the essence.

I yield the floor.

RECOGNITION OF THE MINORITY LEADER

The ACTING PRESIDENT pro tempore. The Republican leader is recognized.

AFGHANISTAN

Mr. MCCONNELL. Madam President, over the State work period, as Senators attended business back home, the Biden administration's reckless decision to retreat from Afghanistan was carried through to a damaging and deadly end.

The consequences of its hasty retreat were not just foreseeable; they were actually foreseen. And yet, against the advice of Members from both parties and even its own national security experts, the administration plowed right ahead.

Just weeks after abandoning our strategic airbase in the dead of night, the Biden administration told Americans and vulnerable Afghan partners they were largely on their own to make it to the commercial airport in Kabul if they wanted out of Afghanistan.

And by the White House's own admission, some of the Americans who wanted to come home were left behind. So let's let that sink in. President Biden left Americans who wanted to escape behind, in the clutches of the Taliban.

Of course, Americans aren't the only people we left behind. In order to meet an arbitrary political deadline, the Biden administration also pulled out before we helped all the brave Afghans who stuck their necks out to assist American servicemembers and build a better future for their country.

Our Nation made a promise of aid and safety in exchange for their service; and on this President's watch, we actually failed to keep the promise. We left Americans and vulnerable Afghans behind.

The administration naively expected the Taliban to behave like any law-abiding member of the so-called international community, supposedly subject to tremendous leverage for recognition and for funding.

Well, our adversaries are sending emissaries to the Taliban, and the terrorists in Kabul seem unconcerned with diplomacy. Trust in the Taliban to ensure safe passage to the airport for evacuees was fatally misplaced. Anyone who expected the group to become "inclusive" should now rightly expect to literally be laughed out of the room.

The administration confidently insisted it would own the consequences of its withdrawal efforts; but as soon as their lack of planning bore real, deadly consequences, it pointed the blame at everyone but the reflection in the mirror.

Now, in a bizarre twist of narcissism, the White House is now holding up its belated and frantic evacuations as worthy of praise and credit.

So where are we now?

A wall outside the compound that, until recently, housed the U.S. Embassy in Kabul now bears a mural of the Taliban flag. Four terrorists once detained at Guantanamo Bay now hold senior positions in the Taliban regime. And in the void left by our coalition's withdrawal, we are less able to collect intelligence and fight terrorists on their own soil.

This failure was entirely avoidable; the consequences were totally foreseeable; and the stain on our retreat has left America more endangered, less credible, and with fewer capabilities in the face of real and growing terrorist threats.

THE ECONOMY

Mr. MCCONNELL. Madam President, on another matter, the international stage isn't the only area where the Biden administration's policies have caused damage that was both foreseeable and foreseen.

Back in the springtime, Washington Democrats dumped trillions of dollars in liberal borrowing and spending onto the American people. They pretended it was a COVID relief bill. What it was, was a recipe for rampant inflation, a silent tax hike on American families.

It was clear what would happen. Even liberal economists warned this was a bad idea that would cause inflation. But just like in Afghanistan, Democrats had made up their minds long ago and were certainly not going to be deterred.

Now working Americans are paying the price. Annual inflation is up 5.4 percent, tied for the worst inflation in over a decade. It has more than swamped American workers' wage gains over the last year. The Democrats' inflation is turning American workers' pay raises into effective pay cuts, essentially pick-pocketing American families.

You might think this would give our Democratic friends some pause and encourage them to deal in reality; but, alas, that is not what is happening. Instead, they are eager to jam through yet another massive multitrillion-dollar reckless taxing-and-spending spree

in an effort to move our country to the left, literally, forever.

Massive new government intrusion into Americans' childcare arrangements, into Americans' medical prescriptions, into the power grid; new welfare spending that hands out cash with zero—zero—work requirements; socialist price setting that would leave our medical system with fewer new cures; and a thousand more awful, far-left policies just like these, all accompanied by a suite of staggering—literally staggering—tax hikes that would kill jobs, hurt families, and crush our competitiveness with the Chinese.

Details are already emerging about the seismic tax hikes that Democrats are cooking up: more higher taxes on employers and job creators, targeted tax hikes to hit small businesses and family farms, pulling more Americans into the death tax.

This tax-hiking wish list would add up to one of the biggest tax hikes in American history at exactly the time their liberal policies already have our economy sputtering. So it is the very last thing American workers need. It is the last thing American families can afford, and Republicans are going to fight these terrible, painful policies tooth and nail.

CONCLUSION OF MORNING BUSINESS

The ACTING PRESIDENT pro tempore. Morning business is closed.

EXECUTIVE SESSION

EXECUTIVE CALENDAR

The ACTING PRESIDENT pro tempore. Under the previous order, the Senate will proceed to executive session and resume consideration of the following nomination, which the clerk will report.

The legislative clerk read the nomination of James Richard Kvaal, of Massachusetts, to be Under Secretary of Education.

The ACTING PRESIDENT pro tempore. The majority whip.

AFGHANISTAN

Mr. DURBIN. Madam President, I rise to speak to 9/11, the 20th anniversary, but before that, I would like to address some of the remarks made by the minority leader just a few moments ago.

He discussed, in the context of the Biden Presidency, what he called a "reckless decision to retreat from Afghanistan with an arbitrary deadline." What the Senator failed to include was the efforts made last year, before Joe Biden was elected President, by the previous President, Republican Donald Trump, through his Secretary of State, Pompeo, in direct negotiation with the Taliban, to establish the deadlines for the evacuation of Afghanistan. The idea didn't come with the new President, Joe Biden; the idea started under

the previous Republican President, Donald Trump, who sent our Secretary of State to directly negotiate with the Taliban leaders.

One of the things that they negotiated, incidentally—I want to make a record of it—was the release of 5,000 prisoners by the Afghan Government the Taliban wanted released, and President Trump negotiated their release.

Now, the Republican leader in the Senate comes and notes the fact that four Guantanamo prisoners are now in positions of power in the Taliban administration. Well, of course, that speaks for itself. But honesty would require us to note the fact that they were among the very same Taliban team President Trump negotiated with last year and now have positions of authority. There is no blame for President Biden in that score.

To say that we were naive toward the Taliban is to ignore the obvious. President Trump negotiated an agreement with them. If we would hold to a deadline for leaving Afghanistan, they would make certain that American forces were spared attacks during that period of time. That was part of the conversation. That was part of the negotiation. That in and of itself was a positive thing, but it also held us to a deadline to keep our troops safe.

The notion of working with and negotiating with the Taliban started with President Trump and Secretary of State Pompeo under the President.

As to whether the situation in the evacuation was entirely avoidable, I am not certain there was a playbook left by President Trump when he left office as to how he would have handled that evacuation.

I will say this for President Biden: I believe, as he did, that it was time for this war to come to an end. There were 2,461 American body bags—American lives lost in the war in Afghanistan. More than 20,000 of our troops were seriously injured during the course of that war. There was \$2 trillion spent in 20 years on a war that seemed like it would never end. And we spent most of that money in an effort to build up an Afghan security force that would take care of itself so America could come home. And what happened? As soon as the United States said there would be an end to this, sadly, many of these Afghan soldiers—uniformed, paid for, and equipped by the U.S. taxpayers—threw their guns down and surrendered, and then, of course, the administration of the Government in Afghanistan left the scene completely.

So I am one who voted for the invasion of Afghanistan for obvious reasons. That is where Osama bin Laden was supposedly hiding out with al-Qaida, responsible for the 9/11 atrocity, which we have noted the 20th anniversary of this week. But I don't believe anyone on the floor in this Senate envisioned a war that would go on to be the longest war in American history. That is what happened.

The second issue raised by the Republican leader notes that the Amer-

ican Rescue Plan was a recipe for inflation, and he called it a "tax hike upon working families." Let's clear up that record.

The American Rescue Plan was suggested by President Biden. The goals of that plan were several. The goals included the administration of coronavirus vaccines across America, which has taken place in one of the most effective efforts ever to make it available. I am sorry that some 30 percent of Americans refuse to be vaccinated, but it has nothing to do with the availability of the vaccine. President Biden kept his word to bring that vaccine to the American people, and that was part of the American Rescue Plan. I don't know if the Senator from Kentucky is questioning the wisdom of that, but it is a fact.

The second thing it did was to provide a \$1,400 payment, if you will remember, that had been promised by President Trump, and we completed and kept that promise with the American Rescue Plan, so dollar assistance for families across America, including working families, let me add. And also then came the child tax credits. It was the most extraordinary effort made by our government to help families raising children—cash payments through the end of this year. To argue that this is somehow a tax on working families is to ignore the fact that it is the biggest tax break in the history of this country for working families.

How many Republicans supported us for the \$1,400 cash payment to families, for the plan to administer the vaccine across America, for the help for families with children, for more assistance for businesses? Not one. Not one Republican vote in support of the American Rescue Plan.

To hear the theory that was given just a few moments ago by the Republican leader is to ignore the obvious: That plan was essential to this country coming to grips with this pandemic and starting to get this economy back on its feet.

The Senator from Kentucky has characterized our reconciliation bill as reckless, and he talks about the massive tax increases. He forgets one particular element. What we are doing is reversing the tax breaks given by the Trump administration 4 years ago to the wealthiest people in America. Yes, their taxes will go up. But President Biden has made it clear that there will be no tax increases for anyone making less than \$400,000 a year. So if we are talking about a new tax burden, it is on people who can certainly afford to pay, and it reverses the tax cut which many of the Republicans—I think virtually all of them—at the time voted for.

SEPTEMBER 11

Madam President, I want to tell you about an extraordinary person from my State. Dan Shanower grew up in Naperville, just outside of Chicago—one of five kids in his family. In college, he spent a semester at Wash-

ington, DC, as part of American University's Washington Semester Program. He managed to become an intern here on Capitol Hill for U.S. Senator Charles Percy from Illinois.

An opportunity like that can change your outlook on life. I know it changed mine when I was an intern for Senator Paul Douglas. It changed Dan Shanower's mind, and he started thinking about what he could do by way of public service.

He wasn't interested in politics, though. So after college, he enlisted in the Navy. He became an intelligence officer. He served in the Persian Gulf war and in assignments around the globe.

On September 11, 2001, Dan Shanower was on duty at the Pentagon. He was hurriedly gathering papers to brief his superiors on the attack on the World Trade Center, when American Flight 77 crashed into the Pentagon and took his life.

Navy CDR Dan Shanower was one of 125 servicemembers and civilians who lost their lives in the Pentagon on 9/11; one of the 2,977 Americans lost to the terrorist attacks that fatal day. He was 40 years old. Two years later, the people of Naperville, IL, dedicated a memorial to his honor on the Riverwalk, on the banks of the DuPage River. It was one of America's first 9/11 memorials. This past Saturday, the victims and heroes of 9/11 were remembered at the memorial in Naperville.

Twenty years after the attacks, the remembrances of that year seem to contain a new kind of sadness, not only for those who perished—rest their souls—but for all we have lost in the years since. Amid our shock and grief following 9/11, Americans were sustained by acts of heroism, sacrifice, compassion, and a deep sense of national unity.

I watch "60 Minutes" every week. Last night, I saw the program that they dedicated to the New York Fire Department and 9/11. It was touching, emotional, and heartbreaking. I had tears in my eyes as they told the stories of the 343 firemen who went into those buildings to rescue the people who were there. They told their stories even with their voices from radio transmissions and the voices of those victims in the building praying that someone would rescue them. It was a touching moment and a reminder of what true courage looks like.

We have a responsibility now to ask a basic question about our responsibility when it comes to the people in this country. Do you remember the national unity that we felt after 9/11? That tragedy brought us together. Imagine then—fast-forward, if you will, to January 6, 2021, when the insurrectionist mob overran this Capitol.

I was in this Capitol on 9/11, meeting just off the floor. We heard that the first plane had crashed into the World Trade Center, and we went and turned on the television to see if there was any further news and saw in real time

the second plane crash into the other tower.

Then a third plane flew into the Pentagon, taking CDR Dan Shanower's life. We only knew from the black, billowing smoke across the Mall that something terrible had happened, and we didn't know what was next. Someone came in and said: We are evacuating the building.

Everybody went pouring out on the east side of the Capitol in front of the Supreme Court building.

Tourists came up to me and said: You work here?

I said: Sure.

Where are we supposed to go? Where is it safe?

I didn't know what to tell them. There was no Capitol Visitor Center or anyplace. I directed them to the train station, the Metro station blocks away.

In the days that followed 9/11, we learned about the heroes of Flight 93. While we were standing on that lawn, thank goodness those passengers stood up and made a difference. They sacrificed their lives to stop that plane from crashing into the Capitol or the White House or whatever its final destination might have been.

Lynn Sweet of the Chicago Sun-Times did a special column, "Remembering 9-11" and particularly Todd Beamer. Todd Beamer was a Wheaton College grad who was a passenger on Flight 93. He managed to get in touch, using an Airfone, with Lisa Jefferson, and they spoke for about 15 minutes as Todd described what was going on in that airplane, and she told him what had happened at the Trade Center and the Pentagon. It was Todd Beamer who made that memorable statement "Let's roll" when they tried to take over the plane and gave up their lives in the process. Those were the true heroes.

It is heartbreaking that 20 years later, the gravest threat to America is not just the international terrorism but some terrorism that comes from within. Al-Qaida did not succeed in attacking this Capitol, but 9 months ago, homegrown American terrorists did.

As we speak, workers are preparing to reinstall a security fence around the Capitol to protect it from another gathering of violent White nationalists expected in Washington this weekend.

Former President George W. Bush spoke for many of us on Saturday when he said that the terrorists of 9/11 and the violent extremists at home may come from different cultures—these are his words: "But in their disdain for pluralism, in their disregard for human life, in their determination to defile national symbols, they are children of the same foul spirit, and it is our duty to confront them."

We have work of great importance before us. In the next few weeks, the Congress needs to find a plan to fund the government, protect our economy, protect the full faith and credit of the United States, make sure we pay our bills on time as promised. And isn't it

ironic that there is resistance to increasing the debt ceiling from the Republican side of the aisle when the increase in the debt ceiling is to pay for the debts incurred under President Donald Trump? It is his administration we are paying for with this vote. And the Republicans, many of whom supported him and continue to, don't want to balance the books and accept that responsibility.

AFGHANISTAN

Madam President, on a different matter, I will just close by saying that the Afghanistan situation should be put in the context of 13 brave Americans who lost their lives during that evacuation, but the fact of the matter is that 124,000 people, including 80,000 Afghans and 6,000 Americans, were airlifted to safety. They and the brave service-members and diplomats involved in the evacuation deserve our thanks and respect.

The missteps in Afghanistan began long ago. The U.S. first began peace talks with the Taliban more than a decade ago. Last year's Doha agreement was negotiated by the Trump administration. H.R. McMaster, Donald Trump's second National Security Advisor, recently called the deal "a surrender agreement with the Taliban." That is what Joe Biden inherited when he became President. And when it came time to face that responsibility, that is exactly what he said: I accept the responsibility for my decision. What a contrast with the previous President who accepted responsibility for nothing. This President said: I will make the decision. I will stand by it. It was time for America to end our longest war. It is time now for us to try to find a way to bring this Nation back together.

I yield the floor.

The ACTING PRESIDENT pro tempore. The Senator from Alabama.

SEPTEMBER 11

Mr. TUBERVILLE. Madam President, 20 years ago, September 11, 2001, Americans watched in horror as two planes struck the World Trade Center in New York City. We watched as another plane slammed into the Pentagon, and yet another bound for this very city crashed in Pennsylvania.

That day was the worst attack on American soil in our history. America's death toll surpassed Pearl Harbor in December 1941. That day, children came home from school without their parents; calls from family members went unreturned; lives were changed forever.

Yet instead of tearing us apart, instead of frightening Americans off the world stage, the cowardly attacks on September 11 brought our Nation together.

But just remember, we were at war with al-Qaida prior to 9/11/2001. In the 1990s, between 10,000 and 20,000 people went to Afghanistan to train to be terrorists. Insurgencies sprang to life in Algeria, Indonesia, Philippines, Somalia, and Yemen.

The World Trade Center was bombed the first time in 1993 by Ramzi Yousef, who spent time in a terrorist camp in Afghanistan. In 1998, al-Qaida bombed two U.S. Embassies in Africa. In 2000, al-Qaida bombed a U.S. warship, the U.S.S. *Cole*, killing 17 Americans.

The 9/11 Commission would later write: "The 9/11 attacks were a shock, but they should not have come as a surprise." That came from the Commission. But they were a surprise to most Americans because our leaders simply ignored the threat, issued a weak diplomatic scold, and promised "over the horizon" missiles and surveillance could solve the problem.

What solved the problem was American resolve and American might. That fighting spirit began on the bright blue morning of September 11, when a 32-year-old software salesman named Todd Beamer boarded United Airlines Flight 93.

Todd knew his plane was likely bound for another mishap or catastrophe after hearing it on the telephone just after takeoff. He knew that this plane was either headed for the Capitol or the White House. He knew what happened to the other flights because of conversations. But instead of being fearful, Todd Beamer rallied his other passengers.

The former college athlete stayed calm and prayed the Lord's Prayer. Then he and his fellow passengers unleashed hell on the hijackers of their plane. The moment Todd Beamer said "Let's roll" is the moment America began to fight back against radical Islamic terrorism. That is when the war started.

The whole country took up Todd's battle cry of "Let's roll." Over the next 20 years, 800,000 Americans rolled into Afghanistan—800,000. Of them, 2,461 were killed in action, including the 13 brave men and women we just lost a few weeks ago; 20,961 soldiers were wounded.

Their sacrifices were great, but so were their accomplishments. With 48 partnered nations, America smashed the Taliban and sent al-Qaida running for their caves in Pakistan. We killed Osama bin Laden and crushed terrorism networks around the world.

Over the past 20 years, the death toll from terrorists inside the United States was 107 because of our brave military that took the fight to the enemy overseas. One hundred and seven souls are still far too many in this country. But the Nation has been spared another catastrophic attack, while our All-Volunteer Force stood the watch in Afghanistan.

But here on the 20th anniversary of 9/11, what should be a resounding victory and success of American values and resolve is, instead, a defeat. And it is an especially bitter defeat to Americans all across this country. It is bitter because Americans surrendered 20 years of blood, sweat, and tears to the enemy.

The Taliban now controls more of Afghanistan than they did in 2001, and

they are better armed with American guns, vehicles, and aircraft.

It is bitter because it was entirely preventable. It is bitter because those who work in national security know in their hearts that the President is wrong when he says the "war is over."

Mr. President, the war is not over. The war is over when your enemy accepts defeat. Our enemy, the Taliban, are not defeated; they are emboldened.

President Biden has handed them the greatest victory of their pitiful, pitiful history, a victory greater than they could have ever dreamed.

Using this victory as propaganda against the United States will be recruiting gold for the Taliban. Make no mistake, now that they have sent America running for the exits in Afghanistan, they intend to bring the terror we saw at Kabul's airport home to us right here in the United States of America.

We cannot allow that to happen because now, after our Commander in Chief decided to leave behind—let me repeat that—leave behind American taxpayer-funded equipment, the Taliban is one of the top 10 best equipped militaries in the world.

Over 44,000 military vehicles were left behind, nearly a half a million guns left behind, 33 Black Hawk helicopters left behind. All are now in the hands of our enemy. And we are fooling ourselves if we think they are not going to use this equipment against us.

Early last week, 10 of my colleagues on the Senate Armed Services Committee joined me in calling for hearings on the Biden administration's chaotic withdrawal from Afghanistan.

As members of the committee that overseas our Nation's Armed Forces, we bear a particular responsibility to seek—I mean seek—true and correct answers. We asked to hear from the Secretary of Defense, Lloyd Austin; the Chairman of the Joint Chiefs of Staff, General Milley; the commander of U.S. Central Command, General McKenzie; and the last commander of U.S. Forces in Afghanistan, General Miller.

These are our top military leaders who need to be asked the hard questions, and that is what I and my colleagues intend to do, starting with why did we give up the most strategic air base in the middle of Asia, Bagram Airfield? Why did we do that? It makes no sense.

We owe it to our Nation, those who served, their families, and our allies to preserve the records of how our time in Afghanistan ended. For every people we and members of the Armed Services Committee represent here in Congress, this is the biggest issue facing our military since Vietnam. Those who have given so much to this cause are demoralized and disheartened. I have talked to hundreds of them in the last couple of weeks.

Al-Qaida didn't defeat our military. The Taliban didn't defeat our military. The complexities of rebuilding a country did not beat our military. This ad-

ministration in Washington, DC, defeated our troops.

Never in American history have we seen a Commander in Chief leave Americans behind enemy lines. It is unheard of, unheard of in the history of this country. I cannot think of a single fighting man or woman who would leave an American behind. It does not make sense. That is why they fight. That is why our military fight. We do not leave people behind. But they were ordered to leave by our Commander in Chief.

To those soldiers, sailors, marines, airmen, guardsmen who served in Afghanistan, I promise you this: We will get answers from this administration.

If you are a member of the military or you have served our Nation and you have questions, I hope you will reach out to my office. I am ready to be your voice. I am ready to fight with you for your answers and accountability. I want to thank Chairman REED and Ranking Member INHOFE for scheduling hearings so that we can do just that in the next few weeks.

On September 11, America said: "Never forget." Thousands upon thousands of Americans have taken that rally cry to the enemy. To them I say: America has not forgotten. We will never forget. We will answer the fight, and we will fight for these answers.

I suggest the absence of a quorum. The PRESIDING OFFICER (Ms. DUCKWORTH). The clerk will call the roll.

The bill clerk proceeded to call the roll.

Mr. BARRASSO. Madam President, I ask unanimous consent that the order for the quorum call be rescinded.

The PRESIDING OFFICER. Without objection, it is so ordered.

HONORING LANCE CORPORAL RYLEE MCCOLLUM

Mr. BARRASSO. Madam President, I come to the floor today to pay tribute to the life and service of LCpl Rylee McCollum. He was from Bondurant, WY.

On Thursday, August 26, the United States lost 13 men and women in uniform: 11 marines, an Army soldier, and a Navy corpsman. They were killed by a terrorist attack in Kabul, Afghanistan. At least 20 additional marines were wounded. It was the deadliest day for our Nation's military in more than a decade.

One of those fallen heroes was LCpl Rylee McCollum. He was just 20 years old. Rylee McCollum's life demonstrated the best of our Nation. His dad Jim told me that Rylee was full-blooded red, white, and blue—and from the very beginning.

Rylee's dad Jim wanted to serve in the military, but he couldn't because of a medical issue. Well, his son Rylee grew up with that same great desire to serve our Nation. Rylee's family said he wanted to be a marine from the very beginning. His sister Royce said that he ran around in his diapers and cowboy boots with his rifle.

He attended Jackson Hole High School. He graduated from Summit In-

novations High School in Wyoming. And he made a real name for himself all around the State as a champion wrestler.

Now, he had the kind of talents and abilities with which he could have done anything and everything. He wanted to serve America. He joined the Marines literally as soon as he could. He signed up on his 18th birthday. His plan was to serve in uniform and then come home to Wyoming. His goal was to teach history and coach wrestling.

On August 26, on his first deployment, he stood guard at the Hamid Karzai Airport in Kabul, Afghanistan. He protected the airport as Americans and our allies escaped to safety. His mission saved thousands of lives. While Rylee was protecting others, he was killed by a terrorist bomb.

Now, Rylee had just been married in February. His wife Gigi was expecting their first child, and he was excited to become a father. His child will never know Rylee. Yet his child will always know that Rylee McCollum, her father, was a hero.

On Friday, I stood side by side with Rylee's family and his pregnant wife Gigi at the airport in Jackson, WY, as Rylee's flag-draped casket was brought home for his very last trip to Wyoming. And today I got a text from Gigi with this magnificent picture. The text came within the last hour or so, and we were able to do a blowup of the text picture: Naval Hospital, Camp Pendleton, WY, welcomes baby girl Levi Rylee Rose, 8 pounds, 10 ounces, September 13—today—at 2 a.m. There is the baby, and there is the cutout of her father, Rylee McCollum.

Madam President, people in Wyoming and all across America have shown their love and respect and appreciation and admiration for Rylee and his family. People have already donated close to a million dollars to help Gigi and the baby. They donated these funds through a GoFundMe page on the internet, and it is a testament to the gratitude of the American people for the life and service of Rylee McCollum.

After Rylee's passing, a family friend in Jackson named Regi Stone told a story on Facebook. The story is about a conversation he once had with Rylee and with Regi's son Eli. Eli also serves in uniform. Regi says Eli and Rylee once said: If anything ever happened to us, just know we were doing what we loved.

What Rylee McCollum loved was protecting others. What Rylee McCollum loved was service. What Rylee McCollum loved was America.

And as Jim McCollum told me, he said: Rylee is standing guard tonight at the gates of Heaven.

Madam President, Rylee McCollum is an American hero. His name will always be held in honor throughout Wyoming. For the half-million people of our State, we all think of Rylee and Gigi and now the baby as part of our family.

May God comfort his family, and may God continue to bless this great

country for which Rylee McCollum gave his life.

AFGHANISTAN

Madam President, now I want to talk about the fall of Afghanistan. It is the thing that people in Wyoming want to talk about. They want to talk about Rylee, and they want to talk about what happened in Afghanistan.

Over the last 20 years, nearly 2,500 Americans gave their lives in Afghanistan. Our mission in Afghanistan was twofold: first, to kill the terrorists who attacked us on 9/11/2001, and, second, to take away the safe haven where terrorists planned attacks on America.

For the last 20 years, both missions were a success. Yet, in a matter of just weeks, everything changed, and they changed because of the complete incompetence of President Joe Biden. Because of that incompetence, the Taliban are stronger today than they were 20 years ago. They are stronger than ever. Afghanistan is now a safe haven for terrorists, and America is more at risk to terrorists today than it has been in two decades.

Afghanistan fell because President Biden paid exclusive attention to the calendar on the wall instead of the conditions on the ground. Joe Biden set an arbitrary political deadline of August 31.

The President wanted symbolism for September 11. Well, he got symbolism, but it wasn't what he wanted. It was the kind of symbolism that terrorists wanted.

Now, in April, when President Biden announced his deadline, I warned this would happen. I said, if we pulled out, the Taliban would take over. Leader MCCONNELL and other Senate Republicans came and warned the President as well. Some of the top generals in our military warned the President also. Yet President Biden stubbornly refused to listen. He refused to listen to his military and refused to listen to his national security advisers.

Our enemies knew we were leaving, and so they were on the offense. In a matter of weeks, Afghanistan fell to the Taliban. It was predictable, and it was preventable.

When Kabul fell, President Biden was on vacation. So were the Secretary of State and the White House Press Secretary. When British Prime Minister Boris Johnson tried to reach President Biden, he had to wait 36 hours. When the Canadian Prime Minister wanted to discuss Afghanistan, he couldn't get through to President Biden, but he got through to Hillary Clinton. The White House was asleep at the switch, and the White House switchboard was turned off to our closest allies.

Even after Kabul fell, President Biden stuck with his reckless and dangerous deadline, and as a result, President Biden has abandoned hundreds of Americans behind enemy lines. Many are still trapped there right now. I can't imagine any other President in the history of our country doing that, abandoning Americans behind enemy lines.

He also abandoned thousands of Afghan people who have helped us over the years. They helped our troops. That even includes an interpreter who helped save the President's life when he visited Afghanistan as a Senator. Many of these people are going to be killed by terrorists. President Biden signed their death warrants.

This is worse than Benghazi. This is worse than the Iranian hostage crisis. This is worse than the withdrawal from Vietnam. To me, this is America's worst national humiliation in more than 50 years. Simply stated, the fall of Afghanistan is a dereliction of duty—a dereliction of duty—by the Commander in Chief.

Joe Biden ran for President on two things. One, he raced on competence, and on foreign policy expertise. He has failed this entire Nation on both.

Nearly every prediction that President Biden made about Afghanistan has proven to be wrong.

On July 8, President Biden said there would be “no circumstance”—no circumstance—“where you [would] see people being lifted off the roof of the embassy of the United States from Afghanistan.” Just 5 weeks later, that is exactly the video of what the world saw.

President Biden claimed al-Qaida is gone from Afghanistan. Just hours later, the Pentagon had to admit that what the President said was not true. The President had lied to the American people. ISIS fighters are also in Afghanistan. They are the ones who killed the 13 servicemembers. Russians and Iranians are also in Afghanistan.

The President's hasty withdrawal left behind billions of dollars' worth of American weapons. Now it is all property of the terrorists. Joe Biden armed the terrorists beyond their wildest dreams. In total, the Taliban has seized more than 600,000 American weapons; 2,000 armored vehicles—humvees, American tanks; and 40 aircraft, including Black Hawk helicopters. Because of the incompetence of President Biden, the Taliban is now the best armed terrorist group in history. President Biden surrendered to the terrorists, and now the terrorists will be coming for us.

I join with my fellow Republicans in demanding a full accounting of American military equipment in Afghanistan. President Biden has absolutely no plan to either get the weapons back or to destroy them where they are. Instead, President Biden is making excuses. He claims he had to follow President Trump's withdrawal agreement. Well, that is not true, and we know it. President Trump's plan was conditioned on successful peace talks with the Afghan Government. Those talks are still unsuccessful.

President Biden has overturned dozens of policies from the previous administration. Let's look at a few of the Trump policies that President Biden reversed.

Well, he reversed the very successful “Remain in Mexico” policy, which has

resulted in a complete collapse of our border security. He tried to bring back the Iran deal. He put us back in the Paris accord. He rejoined the World Health Organization. So why didn't, then, President Biden either enforce the original withdrawal agreement from Afghanistan or renegotiate that agreement? He never even tried.

President Biden even chose to give up Bagram Air Force Base, north of Kabul. It is a strategic military location that military leaders will tell you should never have been abandoned under any circumstances. It is probably the only facility big enough to get every American out quickly. We left there in the middle of the night without even telling our allies on the ground. The U.S. Senate must investigate why the President ordered the military to abandon it.

The United States, I believe, has a sacred duty to finish the job of safely evacuating every American civilian in Afghanistan.

The President said on national television just a few weeks before the collapse that he would not leave Afghanistan and would not follow the directive that he had placed, the August 31 deadline, until every American was out. Yet, on August 30, he had every American servicemember out, and his own Secretary of State said there were still up to 200 American citizens trapped behind enemy lines. I believe we also have to evacuate the Afghans who risked their lives by providing us with assistance.

I believe the United States must never recognize the Taliban as a legitimate government. The Biden administration claimed they would not recognize any government which came to power by force in Afghanistan. I find it very hard to trust anything that President Biden says anymore.

Let me conclude with a word about our heroes who served our country in Afghanistan. Over my time in the Senate, I visited Afghanistan nine times. Each time I go, it is to say “thank you” to the men and women in uniform who are there. I visit with Wyoming National Guard. I visit with Wyoming regular military. Our National Guard, our Cowboy Cannoneers, have been deployed to Bagram Air Force Base, and I visited with them numerous times over a number of years. To them and to all Americans, I say, no matter how disgraceful this withdrawal, no matter how incompetent our Commander in Chief, no matter the failures of this administration, the truth remains: Our soldiers served with honor, they fought with valor, and they have kept us safe and free for the last 20 years. They are all heroes. We will always—always—hold them in high honor.

I yield the floor.

The PRESIDING OFFICER. The Senator from Maine.

Mr. KING. Madam President, I have comments today about an extraordinary member of the Federal workforce, but before I do, I would like to

respond to a few of the comments that I heard as I entered the Chamber with regard to Afghanistan.

The first is, nobody I know of in any way is denigrating the service of the men and women who served in Afghanistan for 20 years. They served honorably. They served well. They served bravely. They made great sacrifices, and some of them made the ultimate sacrifice. There is no dispute about that. But I think the question of the leaving of Afghanistan is worth a little bit of a broader discussion than what we just heard.

No. 1, the decision to leave Afghanistan was made by the Trump administration. Then-President Trump entered into an agreement in February of 2020 with the Taliban that we would leave by May 1 of 2021; all troops would be gone. I have read the agreement. In return, the Taliban said that they would not attack our troops. They also said they would enter into discussions with the Government of Afghanistan and try to effect a peaceful transfer of power. Of course, that didn't happen.

But I think it is very important for the American people to realize that the fundamental decision to leave Afghanistan was made almost a year before Joe Biden entered the Presidency. When Joe Biden entered the Presidency, he had a decision to make, and the decision was a very straightforward and very profound one. It was whether to honor the agreement that his predecessor had made and keep the word of the United States or whether to stay in Afghanistan, tear up that agreement, subject our people there to attacks by the Taliban, and then almost inevitably reescalate the conflict.

We were down—at the time of the agreement in February of 2020, there were something like 15,000 American troops. By the time President Biden came into office, there were only 2,500 American troops. If he had decided to stay, it wasn't a question of, we will just stay with our 2,500 troops; we would have been at war with the Taliban, and we would have inevitably—he, the President, Biden, would have inevitably been in a situation to increase our presence in Afghanistan once again after 20 years.

President Biden decided that our mission there was complete. The original mission, of course, was about Osama bin Laden and al-Qaida. And he decided that the American people were not prepared to commit to a war that essentially had no end. So that is point one.

Point two: There is no question that the leaving was chaotic and difficult and dangerous, but I think it is important to understand some of the surrounding circumstances. For example, I was one who stood on this floor in June and berated the administration for not moving aggressively enough to get those who helped our troops out.

The Presiding Officer, I think, took that position. Many of us took that position. We were hammering the admin-

istration. But then the President met with President Ghani on June 25 in person, and Ghani specifically said: Please don't start that evacuation in a major way because that in itself will lead to the collapse of our government; it will lead to a loss of confidence. So please don't do that.

So then the question became, when, if we withdrew our troops, would the Afghan Government fail? And we are going to be having hearings here this week, next week, the week after, to discuss that very question: What was the intelligence? I am a member of the Select Committee on Intelligence, and I can't talk about what I learned from the intelligence officials leading up to August of 2021. But the question is, Did the administration expect the Afghan Government to fall in a matter of days—8 days, I believe? I think clearly they did not. Should they? Was it a failure of intelligence? I don't believe so.

Intelligence is about data. It is about how many troops, how many guns? Who has the arms? Who holds what territory? The most difficult intelligence questions are psychological: Will the Afghan Army fight? Will they have the will to fight? Indeed, the Afghan security forces have fought for years and lost thousands. But when President Ghani fled the country, the government simply collapsed, and the Afghan security forces essentially said: Why should we fight if the government has gone?

I have heard it said that we left—I think my colleague from Wyoming said we left over 200 Americans or 150 trapped. A hundred or so have left in the last few days, left on a charter flight a couple of days ago. Yes, it is more difficult for them to get out, but the administration is working to get them out. The question is, Should the administration have stayed and triggered a possible conflict with the Taliban and attacks by terrorists, which did occur at the gate of the airport, versus the evacuation of everyone? And it was very difficult to determine, A, who these people were, and B, whether or not some of them wanted to leave. They were dual citizens. So that was a difficult decision.

My understanding is that the military advice to the President was that it was in America's interest to abide by the August 31 deadline and continue to work diplomatically to enable American citizens to leave. In fact, my understanding from public reports is the Taliban has essentially said: If you are an American citizen, if you have the paperwork, we will let you leave. So those people weren't trapped.

What bothers me about this conversation is the ignoring of the fact that 124,000 people were evacuated in 18 days, the largest airlift in history—124,000 people, including about 6,000 Americans, people from NATO, our NATO allies, and thousands of Afghans who were those people who assisted us.

Did we get them all out? I doubt it. But I can remember, as I am sure the

Presiding Officer can, earlier this year, we were talking about 18,000 of those SIVs. We got out 124,000 people. It was a logistical—it was an incredible logistical and diplomatic achievement.

There are plenty of questions left. There are questions to be answered. My problem is concluding that it was a disaster, concluding that the President did it all wrong, concluding and reaching conclusions without the facts. Let's have our hearings. Let's find out what actually happened. What was the intelligence? What did the administration know? What was the basis of the military advice to leave on August 31?

But also, part of the facts is what was achieved: 124,000 people who are now being housed and fed and vetted and treated for, examined for medical conditions. It is an amazing logistical achievement.

If you are talking about the armed services, let's talk about ready, aim, fire, not ready, fire, aim. Let's hold our fire until we understand what actually happened. I believe that is what we should do in this country responsibly rather than immediately going on the offensive and declaring the President incompetent and a disaster and should resign and all of those things.

We ought to understand what actually happened, and we will. That is our role. We should work through the process of gaining the facts before we draw the conclusions that I have heard drawn over the last week.

TRIBUTE TO TIM HUDSON

Madam President, let me change the subject. We have, throughout the Federal Government, wonderful people working for us. We have people working in all the Agencies. They work diligently; they work for many years; they work under difficult conditions; and they serve the American people. We speak of ourselves as public servants, but there are also public servants who are out there every day answering phone calls, doing the work of the government in whatever Agency, wherever they are, and they are doing important work.

I want to talk about one of them today just for a couple of minutes, a guy named Tim Hudson. Tim's mustache is a lot better than mine. Tim Hudson is retiring this week after 54 years with the National Park Service—54 years with the National Park Service. That is dedication to the public service. He has served in Alaska. He has served at Yellowstone. He came East after Superstorm Sandy to supervise the reconstruction and maintenance of national parks in the East. He is an expert on maintenance, on keeping these places up to speed, up to snuff, so that our citizens can enjoy them.

He came out of retirement or he slowed his retirement to do his last 5 years in the State of Maine. President Obama created Katahdin Woods and Waters National Monument, a spectacular spot in the middle of the North Woods of Maine. It was somewhat controversial at the time. I spent days up

there in public meetings and took a lot of flak and listened to a lot of contrary opinions, some much positive, some negative.

When he created the national monument, the question was, OK, who is going to get it going? Who is going to make it happen? And Tim Hudson answered the call. He spent the last 5 years up there working with the local community. He has done a huge amount of work with the local community to give them confidence in what the Park Service is doing. He has worked with the people, the Friends of Katahdin Woods and Waters. He has worked with the people who are helping to develop this wonderful facility for more and more people every year. I think this year, the visitation will be 35, 40, or 55,000 people. It is a spectacular spot.

Tim Hudson started from scratch. I just want to recognize Tim and the thousands like him throughout this country who work on our behalf quietly every day without a Senator making a speech about them, but they go about their work on behalf of the American people. I just didn't want Tim Hudson's retirement to go unremarked because not only does he deserve recognition, so many of his colleagues, whether it is in the Park Service, the Department of Agricultural, the Department of Defense, the Department of Commerce, the Internal Revenue Service, all the people who work on behalf of this country, the brave men and women in the Department of State who work around the world, often in dangerous situations—we need to recognize them. We need to support them. We need to let them know that we know what they are doing and that we care what they are doing.

That is why I am here today to talk about Tim Hudson, a guy who has made a difference for this country for 54 years, and he has made a huge difference for the people of Maine over the past 5 years.

I want to say thanks to Tim and his wife Mary and wish him the best in his retirement. He is the best of what America is all about. He has served us well and he has served the people of Maine well and I appreciate it and thank him for it.

I yield the floor.

The PRESIDING OFFICER. The Senator from Tennessee.

AFGHANISTAN

Mrs. BLACKBURN. Madam President, September 11, 2001, is a date that is seared in the memories of those of us who lived through that day and experienced the trauma and the fear of that day.

What has always struck me about that day and the days following, even standing here 20 years later, is how the entire free world stood united against what we saw as a common threat. It came to us as naturally as breathing. We understood that as witnesses to mass murder, we shared a duty to avenge those who had died. It may

have been fear that forced us together, but in the days that followed the attacks, we, as Americans, rediscovered the ties that have bound us for centuries and solidified our faith in the common cause of freedom.

But the more time that passes between each September 11 and the September 11 attacks, the more obvious it becomes that history slips away from those who fail to heed its lessons. The defensive action we took as a nation in the wake of the attacks was among the most forceful and effective the world had ever seen, but still, even 20 years later, it is obvious that our work in Afghanistan and the Middle East is far from over.

My colleague from Maine talked about the withdrawal from Afghanistan. I would say, as I talk to Tennesseans, it is not withdrawing from Afghanistan; it was the manner in which the Biden administration chose to end the military mission in Afghanistan that didn't seem to reflect the reality of what was going on on the ground.

Last week, I sent a letter to Chairman REED, with several of my colleagues on the Armed Services Committee, asking for formal hearings on the withdrawal. We need to know exactly what happened, how they were advised. Without sworn testimony from Secretary Austin, General Milley, General McKenzie, and General Miller, we will never be able to untangle the chaotic course of events that led to the deaths of 13 servicemembers in Kabul and the abandonment of an unknown number of American citizens and our Afghan partners.

Madam President, I ask unanimous consent that the letter be printed in the RECORD.

There being no objection, the material was ordered to be printed in the RECORD as follows:

U.S. SENATE,
September 8, 2021.

Senator JACK REED,
Chairman, Senate Armed Services Committee,
Washington, DC.

CHAIRMAN REED: It is necessary and appropriate for Congress to examine the manner in which our military mission ended in Afghanistan. We should do so with transparency, candor, and a dedication to ascertaining the facts without regard to politics.

We understand that in the coming months, many committees will claim the authority to ask questions regarding our military's withdrawal. Yet, because our committee bears the special responsibility of authorizing and overseeing America's armed forces, we acutely feel the obligation to seek answers. The American people, and in particular many of those who serve our country in uniform, are hurting, angry, and disappointed. We owe them a clear and comprehensive understanding of what happened, why, and how best to learn from these events for the future. Time is of the essence. These hearings should be our top priority when the Senate reconvenes.

We write to formally request that the Senate Armed Services Committee fully exercise its oversight authority by holding both opened and closed hearings on this matter and that our committee ask the Department

of Defense to preserve any and all records pertaining to the conclusion of our operations in Afghanistan. In particular, we seek sworn testimony from Secretary Lloyd Austin, General Mark Milley, General Frank McKenzie, Jr., and General A. Scott Miller.

We owe it to our nation, those who served, their families, and our allies and partners who fought alongside us, to preserve the records of how our fight in Afghanistan concluded. The insights we gather will help prevent future loss of American blood and treasure, a solemn responsibility and sacred trust we believe all members of our committee will seek to uphold.

Sincerely,

Tommy Tuberville, Roger Wicker, Tom Cotton, Joni K. Ernst, Thom Tillis, Dan Sullivan, Kevin Cramer, Rick Scott, Marsha Blackburn, Josh Hawley, U.S. Senators.

Mrs. BLACKBURN. Beyond the fact-finding mission, I plan to use these hearings to impress upon my Democratic colleagues the importance of the words that we use to describe our enemies, how we talk about them, how we frame their actions.

Since day one—since day one of this administration—the Biden administration has used their words to rehabilitate the Taliban in the eyes of their radical base. The problem, of course, is that their diplomatic calls for inclusivity and equality, this supports a lie about who the Taliban actually is. The Taliban—like ISIS, like al-Qaida—is a terrorist organization. They rule by fear. They rule through public beatings, rape, forced marriage, brutality against anyone who questions their regime, against anyone who disagrees with them. Look at the way women and children are treated.

Now, in my opinion and from a lot of Tennesseans whom I have talked with as I have been home, they feel that expecting terrorists to behave like normal people is reckless and stupid. And they feel that some of the actions that have come from this administration and comments that they would have that expectation would reflect that reckless stupidity. These are terrorist organizations.

If you need another example of this, just look at their approach to border security. Even before the transfer of power, massive migrant caravans had begun moving out of Central America and toward the southern border. They were eager to take advantage of then-Candidate Biden's promises of open borders and amnesty for all.

Where did that get us? Well, this is what we have learned. The CBP reports that migrant encounters along the U.S.-Mexico border reached a 20-year high in July. That is right, massive numbers. They heard those promises. So what did they do? They got to work contacting a cartel, and they made this journey after, of course, they paid the cartel. Most of the nearly 200,000 people our Border Patrol caught in July were traveling alone. Families might be holding back, but the international traffickers certainly are not holding back.

On August 29, CBP officers in Memphis found three kilograms of

ketamine in a shipment of furniture from France coming in because of the cartels.

In the first week of September, CBP officers in Texas seized two separate stashes of cocaine with a combined street value of almost \$300,000. In the month of July alone, cocaine seizures increased 91 percent, and meth seizures increased 20 percent. Why are they doing this? They know that the border is open.

On September 8, Texas State Troopers and CBP officers stopped two human smuggling attempts running just hours apart from each other. Our CBP officers have made it standard procedure to scour remote terrain for migrants who have been abandoned and left to die by their cartel transporters. Why is this happening? Because it is obvious to everyone, from the migrants, the cartels to the foreign officials who refuse to police their own borders, that the Biden administration won't do anything to stop it. Tennesseans see this as reckless. It makes no sense.

I talked to some local law enforcement officers this week. They are seeing an uptick in meth, fentanyl, and heroin on the streets—all coming out of Mexico. They repeatedly say: Secure the border.

We live in the greatest Nation on Earth. We are still the world's best example for freedom, and we are the last hope for millions of people suffering under authoritarian rule. It is important to understand that it doesn't have to be the way it has been when you look at this withdrawal from Afghanistan, when you look at this open border, when you look at the fact that, yes, this year, the border patrol has apprehended terrorists at the southern border. That is right. It doesn't have to be that way, but when you have weak leadership—leadership that is not focused, leadership that says “it is my way or the highway”—and when you have that reckless disregard for the truth, that can and will destroy us.

The actions of the Biden administration have already emboldened our enemies. They have made our allies doubt our commitment to them and to the work that they are trying to do to advance freedom for themselves—the work that we are doing to advance freedom here in this country and abroad.

So I would encourage my Democratic colleagues to resist the urge to fall in line with the White House on the issue of the Afghanistan withdrawal and to, instead, join me in demanding as many hearings as it takes to restore accountability and transparency and to find out exactly what happened.

What were our military advisers saying to President Biden? To Vice President HARRIS? To Jake Sullivan? To Susan Rice? To Antony Blinken? What were they telling them? What was the expectation? Did they have a plan? Did they plan to leave Americans behind enemy lines? Did they plan to give up

Bagram Airfield? Did they plan to leave all of the equipment for the Taliban to use? Did they plan on that? Was it intentional that they made those decisions or was it reckless stupidity that got us here?

I yield the floor.

The PRESIDING OFFICER. The Senator from Florida.

REMEMBERING RICHARD KINKOFF III

Mr. RUBIO. Madam President, last weekend, we lost a truly selfless public servant when Richard Kinkoff III, from my office, passed away.

He joined our office as an intern in 2013, and he literally never left. He kept showing up after his internship had ended until we finally had to hire him full time to work with us because he kept showing up every single day. And he kept at it because he wanted to serve. He wanted to serve the people of Florida. That is exactly what Rich did for the past 8 years in leading our team and graciously responding to hundreds of thousands of constituents' inquiries.

I think it is important to note that it is tedious work, but, for him, it was not a formula or an exercise in checking boxes. He was passionate about that kind of work. He took time to listen to the callers who would call. He would read the emails. He sat down and talked to constituents, and then he worked with others on our team to get them answers. He believed in his work. He never let the process take the purpose out of the work that he did or that the team was doing.

Two years ago, his work was recognized when our office received the Democracy Foundation's award for constituent service, an award that we would not have received had he not been part of our team. But for Rich, honestly, it wasn't about recognition; it was about service.

It is no surprise that he took a particular interest in veterans' issues. He treated every constituent case with the respect it deserved, but he had a special passion for making sure our selfless veterans were not left behind or forgotten in the bureaucracy. That is the one word that, I think, keeps coming back as we talk in our office with the staff, and it keeps coming back as we have reflected on his life over the past week—selfless.

Rich had a pickup truck, a big pickup truck, which made him pretty popular with colleagues, with friends, with friends of friends. People need to move, and if you have a truck, you know everybody always wants to borrow it. Rich being Rich, he was always there for them. If your car broke down, Rich was there. If you were an intern in need of career advice, Rich was there. If you needed a ride from the airport, Rich was there. He would even pull himself away from a Tampa Bay Lightning game to lend a helping hand.

Now, look. I have no doubt that Rich would be embarrassed by all of this because it was never about him or for him.

In a letter to the Christian church in Philippi, Paul and Timothy wrote:

Do nothing out of selfish ambition or vain conceit. Rather, in humility, value others above yourselves.

Those who knew him can say that Rich answered that call time and again.

And now, for reasons that we cannot explain or know or understand, he has answered a different call, but I do know that we are all better for knowing him, and so are countless others who never knew his name. He was selfless. He was noble. He was a decent man. And as we honor and celebrate his life, let us hope to follow in his example in all that we do here.

I yield the floor.

The PRESIDING OFFICER. The Senator from New Jersey.

Mr. MENENDEZ. Madam President, first, I ask unanimous consent that I be permitted to complete my remarks before the scheduled 5:30 p.m. vote.

The PRESIDING OFFICER. Without objection, it is so ordered.

NOMINATIONS

Mr. MENENDEZ. Madam President, prior to the August recess, I, along with Senator MURPHY, asked unanimous consent to confirm almost 30—30—highly qualified Foreign Affairs and Development nominees who were languishing on the Senate floor. I noted then the danger of leaving these posts unfilled at a time that we were facing such a confluence of global challenges. Two Republican Senators blocked each one of our requests. Days later, Haiti was hit with a devastating earthquake, and Afghanistan imploded.

While I continue to believe it is essential that this body swiftly confirm every single foreign affairs and development professional whose nomination is pending on the Senate floor, I rise again today to seek unanimous consent to confirm four nominees who are critical to addressing the crisis in Afghanistan and Haiti.

Ambassador Donald Lu, a career Foreign Service Officer, is the President's nominee to serve as Assistant Secretary for the Bureau of South and Central Asian Affairs.

The last Assistant Secretary for this Bureau was confirmed during the Obama administration. To say that this nomination is long overdue is an understatement, particularly now, given the incredibly dangerous situation in Afghanistan.

Post-withdrawal of U.S. troops from Afghanistan, the State Department is the main implementer of U.S. policy in the country. And given the regional implications of Afghanistan policy, it is essential that this role be filled with a seasoned and experienced diplomat like Ambassador Lu.

The region is also home to several other countries critical to U.S. interests. From Pakistan to India, to the countries of central Asia, the United States must be present in order to advance those interests and counter the malign influence of both Russia and China.

So I hope that my colleagues will not continue to play games and will support Ambassador Lu's confirmation this evening.

Similarly, it is unthinkable that the State Department's intelligence office, the Bureau of Intelligence and Research, or as we know it as INR, remains without senior leadership.

INR is an invaluable resource for the Secretary of State's senior officials and, indeed, all of the dedicated foreign policy professionals who serve our Nation so well and so tirelessly. It needs a confirmed leader in place that can help the Department understand the intelligence information that is out there that helps us instruct, in terms of foreign policy choices. So I am asking my Republican colleagues to permit confirming Brett Holmgren today.

Shifting to Haiti, last month I came to the floor to highlight the challenges that we face in our own hemisphere and the impact of regional instability on U.S. national security and our citizens' safety.

Already, the situation is more urgent than when I raised it. In August, a massive earthquake in Haiti killed more than 2,200 people, injured 12,000 more, destroyed tens of thousands of buildings. A coordinated international response is urgently needed.

This new emergency follows the assassination of Haiti's President and mounting crises in the region, unprecedented protests, and widespread repression in Cuba, a brutal regime crackdown in Nicaragua, and an expansive political and humanitarian refugee crisis in Venezuela.

COVID-19 continues to inflict severe social and economic consequences on countries across the region, and there are the enduring security and governance challenges in Central America that fuel irregular migration.

We need urgently qualified nominees in leadership positions to address these crises.

With an extensive experience in the Americas, Ambassador Brian Nichols, a career Foreign Service Officer, will skillfully advance U.S. national interests as the Assistant Secretary for Western Hemisphere Affairs.

Similarly, Marcela Escobari, who served as Assistant Administrator for Latin America's USAID in the Obama administration, will bring unique expertise to the position if confirmed again today. In 2016, the Senate confirmed her by voice vote—voice vote. We need her in place and should move her again today.

It is scandalous that these nominees and many others are being held up for reasons completely unrelated to them and the positions they will hold. Such irresponsible behavior jeopardizes our national security, and we must act today.

So let me start by asking, first, unanimous consent that the Senate proceed to the consideration—Madam President, I will reserve the opportunities to ask for these consents and wait

for one of our colleagues to appear on the floor.

At this time, I suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The legislative clerk proceeded to call the roll.

Mr. MENENDEZ. Madam President, I ask unanimous consent that the order for the quorum call be rescinded.

The PRESIDING OFFICER. Without objection, it is so ordered.

EXECUTIVE CALENDAR

Mr. MENENDEZ. Madam President, pursuant to the comments I was just making a few minutes ago, let me move directly to my request. I ask unanimous consent that the Senate proceed to the consideration of Calendar No. 335, Donald Lu to be Assistant Secretary of State for South Asian Affairs, and that the Senate vote on the nomination without intervening action or debate.

The PRESIDING OFFICER. Is there objection?

Mr. CRUZ. Madam President.

The PRESIDING OFFICER. The Senator from Texas.

Mr. CRUZ. Madam President, reserving the right to object, I want to make a few remarks on Senator MENENDEZ's request for unanimous consent on the nomination of Donald Lu to be Assistant Secretary of State for the Bureau of South and Central Asian Affairs and also on the nomination of Brett Holmgren to be the Assistant Secretary of State for Intelligence and Research.

The reality is that had these nominees been confirmed in August, they would have done nothing to stop the administration's disastrous withdrawal from Afghanistan.

President Biden bears responsibility for the catastrophe that has unfolded in Afghanistan. President Biden repeatedly ignored reasonable advice and the intelligence on what was happening on the ground in the runup to the disastrous withdrawal.

He abandoned the Bagram Airfield well before August, setting the stage for the chaos at the Kabul airport. He wasn't even listening to his staff on what needed to be done on Afghanistan.

Instead, he imposed an arbitrary deadline for political purposes, with disastrous results.

I am not going to object to consent on this individual, Mr. Lu, and on Mr. Holmgren, in a moment, that Senator MENENDEZ will ask for, but let's be clear. The administration has tried to play a blame game to deflect blame for their absolute failure to conduct a reasonable and rational drawdown, to deflect blame for President Biden's decision to abandon Bagram to the Taliban, to deflect blame for President Biden's indefensible decision to give the Taliban a list of names of Americans and Afghans who are now very

much in harm's way and in jeopardy because of the foolishness and the manifest incompetence of this administration.

None of the nominees I have holds on would have made one difference in what happened in Afghanistan. And it is difficult to believe that even my Democratic colleagues believe, political talking points notwithstanding, how, for instance, the Assistant Secretary for Educational and Cultural Affairs could have stopped President Biden from gift-wrapping Bagram Airfield and giving it to the Taliban.

It is also important to provide a little bit of background on why these holds are in place in the first place.

President Biden is not following the law. He is refusing to follow the law which mandates the imposition of sanctions on Nord Stream 2. Those sanctions had succeeded, had halted Nord Stream 2 in its place, and President Biden transformed an incredible foreign policy victory into an incredible foreign policy defeat.

When President Biden came into office, he willfully and brazenly disregarded the law, and he allowed Nord Stream 2 to continue on its road to completion, which was, in effect, a multibillion-dollar gift to Vladimir Putin at the expense of Europe's security and at the expense of American national security.

However, there is still time to stop Nord Stream 2 if we act quickly. A pipeline that isn't 100 percent complete is effectively zero percent complete. And I am not going to stop working to halt Nord Stream 2 to stop Russia and to prevent Vladimir Putin from economically blackmailing our European allies and threatening American jobs.

These consents—and, more broadly, what the administration is engaged in—is a blame game trying to distract blame from their own actions. But it is worth noting that I have offered to lift my holds from the beginning. And, indeed, over a month ago, I extended the offer to Treasury Secretary Yellen, to the National Security Advisor in the White House, and to Senator MENENDEZ that I would lift these holds—lift the holds on Treasury nominees and lift the holds on State Department career nominees if the administration either imposed sanctions under CAATSA, the Countering American Adversaries Through Sanctions Act, or if they waived those sanctions in such a way that it would trigger Congress having an override vote.

On August 5, I extended that offer directly to Secretary Yellen. Unfortunately, the administration hasn't acted on it. They have decided that their policy of gift-wrapping a multibillion-dollar pipeline for Vladimir Putin and Russia was so important that they wanted to deny Congress even a vote on it under CAATSA.

CAATSA was passed for precisely these circumstances—for an administration that refused to follow U.S. law

and refused to comply with tough sanctions on Russia. That is what the advocates of CAATSA argued. This is a mechanism to force an administration to obey U.S. law and stand up to Russia.

Now, at the time, the Democrats believed they were speaking about the Trump administration, but the principles behind CAATSA apply equally to Joe Biden's defying the law and giving this gift to Vladimir Putin at the expense of U.S. national security interests.

This administration has had a path for months to clear these nominees. It has declined to exercise that path. That path remains before it, nonetheless, because this nominee and the next one are directly relevant to cleaning up the mess that the Biden administration has made in Afghanistan.

I do not object.

The PRESIDING OFFICER. Is there objection?

Without objection, it is so ordered.

The clerk will report the nomination.

The legislative clerk read the nomination of Donald Lu, of California, a Career Member of the Senior Foreign Service, Class of Minister-Counselor, to be Assistant Secretary of State for South Asian Affairs.

Thereupon, the Senate proceeded to consider the nomination.

The PRESIDING OFFICER. The question is, Will the Senate advise and consent to the Lu nomination?

The nomination was confirmed.

The PRESIDING OFFICER. The Senator from New Jersey.

Mr. MENENDEZ. Madam President, I ask unanimous consent that the motion to reconsider be considered made and laid upon the table, all without any intervening action or debate; that no further motions be in order to the nomination; that any statements related to the nomination be printed in the RECORD; and that the President be immediately notified of the Senate's action.

The PRESIDING OFFICER. Without objection, it is so ordered.

The Senator from New Jersey.

Mr. MENENDEZ. Madam President, I clearly do not share the views of my colleague from Texas, but for the sake of the Senate's work, I will reserve responding to it for another time.

EXECUTIVE CALENDAR

Mr. MENENDEZ. I ask unanimous consent that the Senate proceed to the consideration of Calendar No. 150, Brett M. Holmgren, to be an Assistant Secretary of State for Intelligence and Research, and that the Senate vote on the nomination without any intervening action or debate.

The PRESIDING OFFICER. Is there objection?

The Senator from Texas.

Mr. CRUZ. Madam President, reserving the right to object for the same reasons I just articulated—that this position, as with the previous one, is

directly related to trying to clean up the mess, the disaster that the Biden administration has created in Afghanistan.

I intend not to object to this nomination.

The remaining holds remain in place, and the administration can lift the Treasury hold and the career state holds anytime they want by following the law under CAATSA and either imposing sanctions or, if they don't want to impose sanctions on Russia, triggering a vote in Congress so that this body can decide whether or not sanctions could be imposed on Russia. The administration has had that option in front of it for many weeks. It still has that option.

I do not object.

The PRESIDING OFFICER. Are there any further objections?

Without objection, it is so ordered.

The question is, Will the Senate advise and consent to the nomination of Brett M. Holmgren, of Minnesota, to be an Assistant Secretary of State (Intelligence and Research)?

The nomination was confirmed.

The PRESIDING OFFICER. The Senator from New Jersey.

Mr. MENENDEZ. Madam President, I ask unanimous consent that the motion to reconsider be considered made and laid upon the table, all without any intervening action or debate; that no further motions be in order to the nomination; that any statements related to the nomination be printed in the RECORD; and that the President be immediately notified of the Senate's action.

The PRESIDING OFFICER. Is there objection?

Without objection, it is so ordered.

EXECUTIVE CALENDAR

Mr. MENENDEZ. Madam President, I ask unanimous consent that the Senate proceed to the consideration of Calendar No. 322, Brian A. Nichols, to be an Assistant Secretary of State for the Western Hemisphere, and that the Senate vote on the nomination without intervening action or debate.

The PRESIDING OFFICER. Is there objection?

The Senator from Texas.

Mr. CRUZ. Madam President, reserving the right to object, I lifted my hold on this nominee a number of weeks ago, and for that reason, I do not object.

The PRESIDING OFFICER. Without objection, it is so ordered.

The clerk will report the nomination.

The legislative clerk read the nomination of Brian A. Nichols, of Rhode Island, a Career Member of the Senior Foreign Service, Class of Career Minister, to be an Assistant Secretary of State (Western Hemisphere Affairs).

The PRESIDING OFFICER. The question is, Will the Senate advise and consent to the Nichols nomination?

The nomination was confirmed.

The PRESIDING OFFICER. The Senator from New Jersey.

Mr. MENENDEZ. Madam President, I ask unanimous consent that the motion to reconsider be considered made and laid upon the table, all without any intervening action or debate; that no further motions be in order to the nomination; that any statements related to the nomination be printed in the RECORD; and that the President be immediately notified of the Senate's action.

The PRESIDING OFFICER. Without objection, it is so ordered.

The Senator from New Jersey.

UNANIMOUS CONSENT REQUEST—EXECUTIVE CALENDAR

Mr. MENENDEZ. Madam President, I ask unanimous consent that the Senate proceed to the consideration of Calendar No. 323, Marcela Escobari, to be Assistant Administrator of the United States Agency for International Development, and that the Senate vote on the nomination without any intervening action or debate.

The PRESIDING OFFICER. Is there objection?

The Senator from Texas.

Mr. CRUZ. Madam President, reserving the right to be object, as I described minutes ago, the Biden administration is in outright defiance of Federal law. An overwhelming bipartisan majority of the Senate and the House have passed tough sanctions on Russia—sanctions that work; sanctions that shut down the Nord Stream 2 pipeline for a year. But when President Biden came into office, he chose to override Federal law and instead to give a multibillion-dollar gift to Vladimir Putin in Russia. That decision is a generational geopolitical mistake. It harms U.S. national security interests, it benefits Russia, and it hurts Europe.

Moreover, my hold on these nominations, I have expressed to the administration in writing and orally over a month ago. They have a path to lifting the hold on the Treasury Department nominees and the career State Department nominees simply by either enforcing sanctions under CAATSA on Russia or overriding those sanctions and triggering a vote in this body where Members of this body can register our views on whether Joe Biden is correct in giving this multibillion-dollar gift to Vladimir Putin that undermines our national security.

Accordingly, I object.

The PRESIDING OFFICER. Objection is heard.

The Senator from New Jersey.

Mr. MENENDEZ. Madam President, it is unfortunate that this last nominee is objected to. This particular position—we are talking about Haiti. We are talking about having an Assistant Administrator that can help us restore the tragic situation in Haiti to a place in which people can live and won't seek migration to the United States.

When we are talking about what is happening in the Western Hemisphere, in Venezuela, where there is a huge humanitarian set of refugees leaving; when we talk about what is happening

in Cuba with reference to the movements for democracy, this particular position would be dealing with all of that.

I must say, I know that my colleague wants to say none of this would have changed anything. That is not the case. I am not saying that the ultimate result in Afghanistan would have changed, but certainly, when we do not have people in key positions advocating for U.S. national security and policy, it exacerbates the set of circumstances because we don't have the wherewithal to do what is necessary. There are many other key positions I will be coming to the Senate floor and highlighting how that has a risk to national security.

Finally, I would just simply say CAATSA was violated by President Trump when he exercised no sanctions on the same issue that my colleague is concerned about. I happen to agree with him on the issue; I disagree with him in the process in which he is pursuing it. But that started with President Trump.

By the way, President Trump started with a surrender agreement to the Taliban. He gave them everything, got nothing in return. He let them have 5,000 prisoners, Taliban prisoners, who were returned to the Taliban—that added to the fighting force—and got none of the commitments that were necessary to deal with a negotiation or a peace deal with the Afghan Government. He got nothing at all except a total surrender and then dramatically reduced the troop levels at that time.

So there is a lot to talk about about Afghanistan, not only in the immediate context but over what has happened over the last 20 years. The Senate Foreign Relations Committee intends to do that extensive review through a series of hearings.

Let's put history exactly where it belongs—in the right context.

I yield the floor.

CLOTURE MOTION

The PRESIDING OFFICER. Pursuant to rule XXII, the Chair lays before the Senate the pending cloture motion, which the clerk will state.

The legislative clerk read as follows:

CLOTURE MOTION

We, the undersigned Senators, in accordance with the provisions of rule XXII of the Standing Rules of the Senate, do hereby move to bring to a close debate on the nomination of Executive Calendar No. 64, James Richard Kvaal, of Massachusetts, to be Under Secretary of Education.

Charles E. Schumer, Patty Murray, Jack Reed, Jeanne Shaheen, Patrick J. Leahy, Martin Heinrich, Catherine Cortez Masto, Kirsten E. Gillibrand, Christopher Murphy, Tammy Duckworth, Christopher A. Coons, Tammy Baldwin, Chris Van Hollen, Tim Kaine, Thomas R. Carper, Amy Klobuchar, Margaret Wood Hassan, Alex Padilla.

The PRESIDING OFFICER. By unanimous consent, the mandatory quorum call has been waived.

The question is, Is it the sense of the Senate that debate on the nomination of James Richard Kvaal, of Massachusetts, to be Under Secretary of Education, shall be brought to a close?

The yeas and nays are mandatory under the rules.

The clerk will call the roll.

The legislative clerk called the roll.

Mr. DURBIN. I announce that the Senator from New Jersey (Mr. BOOKER), the Senator from Nevada (Ms. CORTEZ MASTO), the Senator from California (Mr. PADILLA), and the Senator from Hawaii (Mr. SCHATZ) are necessarily absent.

Mr. THUNE. The following Senators are necessarily absent: the Senator from Indiana (Mr. BRAUN), the Senator from Texas (Mr. CORNYN), the Senator from Alaska (Ms. MURKOWSKI), and the Senator from South Dakota (Mr. ROUNDS).

The yeas and nays resulted—yeas 55, nays 37, as follows:

[Rollcall Vote No. 359 Leg.]

YEAS—55

| | | |
|------------|--------------|------------|
| Baldwin | Hassan | Reed |
| Bennet | Heinrich | Romney |
| Blumenthal | Hickenlooper | Rosen |
| Blunt | Hirono | Sanders |
| Brown | Kaine | Schumer |
| Burr | Kelly | Scott (SC) |
| Cantwell | King | Shaheen |
| Capito | Klobuchar | Sinema |
| Cardin | Leahy | Smith |
| Carper | Lujan | Stabenow |
| Casey | Manchin | Tester |
| Cassidy | Markey | Van Hollen |
| Collins | Marshall | Warner |
| Coons | Menendez | Warnock |
| Duckworth | Merkley | Warren |
| Durbin | Murphy | Whitehouse |
| Feinstein | Murray | Wyden |
| Gillibrand | Ossoff | |
| Graham | Peters | |

NAYS—37

| | | |
|-----------|------------|------------|
| Barrasso | Hoeven | Rubio |
| Blackburn | Hyde-Smith | Sasse |
| Boozman | Inhofe | Scott (FL) |
| Cotton | Johnson | Shelby |
| Cramer | Kennedy | Sullivan |
| Crapo | Lankford | Thune |
| Cruz | Lee | Tillis |
| Daines | Lummis | Toomey |
| Ernst | McConnell | Tuberville |
| Fischer | Moran | Wicker |
| Grassley | Paul | Young |
| Hagerty | Portman | |
| Hawley | Risch | |

NOT VOTING—8

| | | |
|--------|--------------|--------|
| Booker | Cortez Masto | Rounds |
| Braun | Murkowski | Schatz |
| Cornyn | Padilla | |

The PRESIDING OFFICER (Mr. KELLY). The yeas are 55, the nays are 37.

The motion is agreed to.

The Senator from Ohio.

STOCK BUYBACKS

Mr. BROWN. Mr. President, a week ago today, we celebrated Labor Day, a day to honor America's workers, a day to honor the labor movement that built this country and built our middle class. It recognizes all Americans working hard every day to support families who contribute to community and power our economy.

Over the summer, as I know that the Presiding Officer has traveled to Arizona, I have been all over my State of Ohio talking with those workers: steel-

workers in Toledo, busdrivers in Canton, VA healthcare workers serving our veterans in Chillicothe, union mechanics in Columbus. They live in different communities. They come from different backgrounds. But the dignity of work unites all of us.

We take pride in hard work in this country, and we believe, as Dr. King said and Pope Leo XIII said, that all work has dignity, whether you punch a clock or swipe a badge, whether you work for tips, whether you take care of aging parents, whether you are raising children or whether you are a new grandparent—no matter who you are, where you live, or what kind of work you do.

For far too many people, hard work isn't paying off. Productivity has gone up. Stock prices have soared. Executive compensation is stratospheric. But wages have barely budged. This isn't a coincidence. It is not an accident of the market. It is not an inevitable result of our system of capitalism.

Wall Street has the power in this economy. They are obsessed with accumulating more wealth for the people who already have it. The system we have, where most of the gains in the economy seem to go to those at the top, is by Wall Street's explicit design, and it comes at the direct expense of American workers.

We don't always make the connection. People are rightfully angry, but they don't think about how decisions in corporate boardrooms and on the floors of stock exchanges thousands of miles away affect their job opportunities and their wages.

Corporations focus on their short-term performance on the stock market, not the long-term success of the company and its workers. Their main goal too often becomes increasing stock prices quarter to quarter. That is how CEO performance is evaluated. They are compensated in large part with company shares. Stocks can account for as much as half of an executive's compensation package.

Corporations, therefore, juice those stock prices by repurchasing their own stock, what we call stock buybacks. Here is how it works. There are a finite number of company shares at any given time. Purchasing shares will decrease the number of shares available to investors and therefore drive up the price and the value of the remaining shares.

Existing shareholders will see their stock value increase. Lo and behold, often those existing shareholders are the executives of the company. This is often an even more attractive option to executives than dividends because buybacks are more flexible and, under current law, they aren't taxed until the shares are sold. That is what we want to change.

The economy hasn't always worked this way. A few decades ago, most of Wall Street capital funded the real economy: wages, machinery, research, new construction, expansion of the

company. Stock buybacks used to be considered illegal market manipulation. Think about that. Stock buybacks then used to be considered illegal market manipulation.

Today, they have become routine. Now, only 15 percent of capital goes to the real economy while the amount corporations spend on buybacks has just exploded. Between 2004 and 2013, Home Depot, a great company by most measures, in that decade spent 99 percent of its net income on stock buybacks—99 percent of its net income on stock buybacks. IBM spent 92 percent.

That is right. Some companies spend close to 100 percent of their profits on their own stocks rather than workers' wages, rather than expanding the company, rather than investing in research and development.

It has only gotten worse since Washington Republicans' 2017 tax giveaway to these corporations. We all remember—and I have pointed this out before—the lobbyists down the hall in front of Senator MCCONNELL's office, the corporate lobbyists that lined up one after another as Senator MCCONNELL decided, on behalf of his Members and with President Trump during the Trump-McConnell Presidency—how Senator MCCONNELL handed these companies a windfall.

Their executives turned around. I remember Senator MCCONNELL, when he walked down the hall here after doing his conversations—I will just leave it at that—with his lobbyist friends. He would walk down the hall, and he would stand at the majority leader's—then the majority leader—and I think that tax giveaway is part of the reason he is no longer the majority leader.

But he would say that that is going to trickle down and workers are going to get raises and companies are going to expand and benefits are going to go to the whole economy. Well, that is not exactly what happened. When he handed them that windfall, you know what the executives did—the executives who were lobbying him, the executives who were contributing to the campaigns, the executives who control the Wall Street Journal editorial board? Do you know what they did? They turned around; they plowed that money right back into stock buybacks, which meant, lo and behold, right into their own pockets.

The largest U.S. companies—in 2018, right after the tax giveaway, over a trillion dollars, 70 percent, went to the richest 1 percent. Don't forget that number. In 2018, the largest U.S. companies spent more than \$800 billion in stock buybacks, a 50-percent increase from the previous year, a 50-percent increase because they got that largesse from the Federal Treasury.

They spent more on stock buybacks than on debt payments, than on capital expenditures, than on research and development, than on dividends—in other words, the real economy.

Now, in 2021, as millions of families struggle to recover from this pandemic

and get back on their feet, you might think things would change. We are hearing that a lot of companies—the Presiding Officer hears it in Arizona; I hear it in Ohio—a lot of companies complain about supposed labor shortages. You might think that these companies that are sitting on cash, that it might cause companies to reassess.

They need more workers. Maybe they should cut back on juicing their stock buybacks, and instead they could permanently raise pay or increase retirement contributions or offer better healthcare plans or invest in new training programs—all of those to attract new, better paid, more satisfied, happier workers. But, no, this year corporate stock buybacks are on track to approach or even surpass the 2018 record.

Proponents of stock buybacks argue that companies purchase their own shares only after considering other, value-creating investment options. In other words, companies are arguing: You know, we do stock buybacks. Yeah, you are right; it makes us a little richer individually, and we can buy that third or fourth home in Florida or on the Cape or on Lake Erie or whatever, but also, we consider everything that would be good for the company. We funded all that; so then we do stock buybacks.

That is a ridiculous argument. Talk to any family in Cleveland or Chillicothe or Mansfield or Marietta or Springfield, anywhere outside of Wall Street. Ask these families if they can think of a better investment for the trillions—trillions, thousands of billions—trillions of dollars in wealth American workers have created.

But, of course, executives' personal interests influence their decision making. One study of 2,500 companies found that the greater the percentage stock options in executive compensation packages, the more likely a company was to make stock buybacks. That is fairly logical. The greater percentage of stock options in an executive compensation package, the more likely a company was to make stock buybacks.

So how do we stop this never-ending cycle of corporate greed and make sure that workers are sharing in the profits they create? We start with the new bill that Senator WYDEN, the chair of the Finance Committee, and I are introducing: the Stock Buyback Accountability Act.

The Tax Code is one of the best tools we have to influence businesses. The idea is simple. If you want to buy back your own stock, you have to pay just a little bit—a 2-percent tax—on the money you make off of it. Two percent is pretty small. It is a hell of a lot less than the tax rate that workers at First Solar, which I am going to visit this week in Perrysburg, are paying or workers at Whirlpool or workers at the local corner store, at the local Dave's supermarket in Garfield Heights, are paying.

But that little tax will make companies think a little harder about wheth-

er stock buybacks are really the best use of their trillions in profits. I hope it will make it a little more likely that they will invest the money in something useful, something like a new factory or researching new products or training and apprenticeship programs or pay raises for the workers who are making these profits possible.

It has to be the goal of any stock buyback plan. It is not about punishing executives. I am indifferent. I have always believed it is whom you fight for and what you fight against. I will always fight for workers in this job. I don't have any interest in punishing executives. I just don't want to unduly reward them at the expense of workers.

It is about executives paying their fair share just like their workers do. It is about changing the incentives in our economy so that more of our country's wealth gets invested back to the people who created it.

We have known for years that stock buybacks are a problem. They distort the market. They lead to less long-term economic growth. They divert investment from workers. That is why it is on worker pay, not stock buybacks.

We have a real chance to actually do something about it. After years of politicians talking about reining in Wall Street, now is our opportunity to do it, to show people we are listening and to take action.

Worker pay, not stock buybacks. Create a fairer tax system. Creating a fairer tax system is one of the simplest ways to change the Wall Street and corporations' first system that Americans are so tired of.

We make this simple fix to finally, finally crack down on stock buybacks. We get rid of the tax breaks for corporations that ship American jobs overseas. We make multinational corporations pay their fair share instead of always, always, always forcing working families to foot the bill. We crack down on wealthy tax cheats that game the system. We give working families the largest tax cut ever.

We did that in the bill we passed in March. We are going to do that in the bills we pass this fall.

It comes back to the dignity of work. Wall Street simply doesn't recognize that all work has dignity. They consider shareholders' equity in a company to be all that matters. But workers have equity in a company too. It is called sweat equity. It is time they were rewarded for it.

Worker pay, not stock buybacks.

I yield the floor.

THE PRESIDING OFFICER (Mr. BROWN). The majority leader is recognized.

LEGISLATIVE SESSION

MORNING BUSINESS

Mr. SCHUMER. Mr. President, I ask unanimous consent that the Senate proceed to legislative session and be in

a period of morning business, with Senators permitted to speak therein for up to 10 minutes each.

The PRESIDING OFFICER. Without objection, it is so ordered.

TRIBUTE TO DR. KAREN O'NEIL

Mr. MANCHIN. Mr. President, I rise today to honor Dr. Karen O'Neil and to thank her for her service as director of the Green Bank Observatory for the past 15 years.

Dr. O'Neil received her Ph.D. from the University of Oregon in physics, with a specialty in astrophysics. In addition to her work at Green Bank, she has worked as a professor of physics at the University of Oregon. She was also a staff astronomer at the National Ionosphere and Astronomy Center's Arecibo Observatory in Arecibo, PR, where she worked on the commissioning and testing of a wide variety of instruments and software for the 300m telescope. I am proud to join all of West Virginia in thanking Dr. Karen O'Neil for bringing her vast expertise to the Mountain State.

For more than 60 years, the National Science Foundation, Pocahontas County, and the State of West Virginia have supported the ability of innumerable national and international scientists to make discoveries about our universe using the capabilities located at the observatory within the National Quiet Zone. Scientists at the Green Bank Observatory have made significant discoveries that have helped us better understand our universe. Among the many achievements during Dr. O'Neil's tenure, researchers helped discover a massive star that strains the limits of physics, a discovery that wouldn't have been possible without the research made possible at Green Bank. It is a testament to the tremendous amount of research and data the observatory provides to the global scientific community.

For the past several years, I have been committed to ensuring Green Bank stays open for the next generation of young West Virginia scientists. Dr. Karen O'Neil has been a tremendous part of this effort. Not long ago, we were fighting to keep the observatory open, and thanks to Dr. O'Neil's efforts, we are now discussing Green Bank's integral role in the next generation of astrophysics. Once again, I am truly grateful for her service as director. Fortunately, she is not going far, and will continue to be a vital part of the continued growth of the observatory. I am also proud to join her in welcoming the incoming Green Bank Director, Dr. James M. Jackson, who recognizes the observatory's role as an essential facility in the Nation's astrophysics portfolio, and I know he will continue this legacy of excellence.

TRIBUTE TO EUGENE P. BOYD

Mr. VAN HOLLEN. Mr. President, I rise to thank my constituent, Congress-

sional Research Service analyst Eugene P. Boyd, on his four decades of service to the U.S. Congress. Mr. Boyd retired in January 2020, but, as with many other milestones, recognition of his retirement was disrupted by the onset of the COVID-19 pandemic.

Mr. Boyd, a resident of Clinton, MD, began his CRS career in 1979 as an analyst focusing on urban policy and federalism. Throughout his career, he provided expert advice to the House and Senate on topics that included economic development, empowerment zones, gentrification, and intergovernmental relations.

Mr. Boyd began his career as a relocation specialist for the Prince George's County Housing Authority. He earned a bachelor's degree in urban planning from Virginia Commonwealth University and a master's degree in urban planning from Howard University.

Mr. Boyd is noted especially for his commitment to and expertise on the District of Columbia, including detailed knowledge of the city's policies and politics that helped Congress understand the effects of its lawmaking on the Nation's Capital. He coordinated a CRS team that supported congressional consideration of the 1997 Capital Revitalization and Government Reorganization Act. He advised Congress throughout its oversight of D.C. revitalization during the 1990s. More recently, his work focused on the Puerto Rico Financial Oversight and Management Board—FOMB—and the Community Development Block Grant—CDBG—Program's role in disaster recovery. He also aided Congress in understanding challenges facing local governments that drew national attention, such as the Flint, MI, water system.

Mr. Boyd's colleagues regard him as a leader, mentor, and friend. In addition to guiding his colleagues in their official duties, Mr. Boyd served in his personal capacity as an active member of the Congressional Research Employees Association—CREA—and as a director and vice chairman of the Library of Congress Federal Credit Union. His colleagues always appreciated his kindness, humor, impeccable sartorial style, and expert culinary contributions. Above all, they treasured him as a gentleman and a professional who made CRS a better place to work.

Some of Mr. Boyd's most important life's work occurred outside of the office. He was a member of only the second class to integrate the public high schools in Newport News, VA. He knew well the realities of segregation, which inspired his lifelong belief in the importance of democratic participation. He is a committed mentor, especially to young Black men, individually and through the Concerned Black Men organization. And in a true act of selflessness, in 1992 Mr. Boyd helped save the life of a 13-year-old boy in Oklahoma, whom he had never met, by serving as a bone marrow donor. Mr. Boyd

is so humble that many of his longtime colleagues did not know about his personal sacrifice until after he retired.

The U.S. Congress and our Nation are better informed because of Eugene Boyd's service to the legislative branch. I ask my colleagues to join me in wishing Mr. Boyd and his beloved wife Sharon Butts, also a CRS retiree, and daughter Lauren, all the best as Mr. Boyd begins the next chapter of his life of service to his community and his country.

ADDITIONAL STATEMENTS

REMEMBERING BOBBY BOWDEN

• Mr. MANCHIN. Mr. President, I rise today to honor the life and legacy of college football coaching legend and my very good longtime friend, Bobby Bowden.

Gayle and I offer our deepest condolences to the members of the Bowden family, as well as to the entire extended Bulldogs, Mountaineers, and Seminoles families. We have lost a shining star in the college athletics community, but everything he stood for and represented lives on in the hearts and minds of all who had the privilege of knowing him, myself included.

I will never forget the first time I met Bobby. It was 1966, and he and Ann pulled up in a station wagon with six kids in the back. He made an impression, to say the least. I have never met a more humble and kind person, and he was always such a positive influence in my life and the lives of all the players he coached. Bobby was also a deeply devoted man of faith. It didn't matter what your faith was, as long as you believed in something greater than yourself.

He holds a special place in the hearts of West Virginians in particular because of his tribute to the Marshall University team who perished in a plane crash in 1970. Our entire statewide community felt this loss. Friendly rivalries were set aside, and Bobby, who was head coach, led the way to tell the Nation "We are Marshall." West Virginia University players wore Marshall's initials on their helmets, and the next season, Bobby gave Marshall's new coaches access to film and gamebooks to help them rebuild their program. His selflessness toward Marshall during that devastating time has been cherished in the decades that have followed. He was really something special.

Bobby had a gift for teaching the game and motivating you to be the best you could be in all aspects of your life. And it wasn't all for the athletes; he treated everyone the very same. No one was more important than anyone else. It didn't matter who your family was or where you came from, what mattered is what you made of yourself with the circumstances the Lord gave

you. He earned the legacy we know him for and expected no less from anyone else.

With 377 wins and two national titles during his 40 years as a major college coach, he was the winningest coach in Division One history. But when the game was over, no matter the score, Bobby showed us the man he has always been—a leader, a fierce competitor, and despite his humility, a man completely deserving of the prestige his legacy brought to himself and to the teams he coached.

Good coaches certainly win games, but great coaches, like Bobby, have a profound impact on your life. They are models for how to handle perseverance, leadership, success, and failure and how to take what you learn from athletics and utilize it to build the rest of your life. He knew sports can make you into so much more than a good athlete if you have the right attitude, and I know there are many former student-athletes who have Coach Bowden to thank in great part for their success. I had the honor of knowing him not only as one of the greatest coaches but also as a true friend and a man I have the greatest respect for.

The relationships he forged with the players, his colleagues, and the communities he called home had a profound impact, bringing both national attention and respect to the teams he coached. If he lost a game, he was the first to go congratulate his opponent. Put simply, even though he wasn't born in the Mountain State, he represented the very best of West Virginia, which is saying quite a lot.

Again, I extend my condolences to his loving wife Ann; their children, Terry, Tommy, Jeff, Steve, Robyn, and Ginger; and their many grandchildren. May God Bless you and your family, my dear friend.●

RECOGNIZING DV8 KITCHEN

● Mr. PAUL. Mr. President, as ranking member of the Senate Committee on Small Business and Entrepreneurship, each week I recognize an outstanding Kentucky small business that exemplifies the American entrepreneurial spirit. This week, it is my privilege to recognize a family-owned small business and second-chance employment opportunity, DV8 Kitchen of Lexington, KY, as the Senate Small Business of the Week.

In 2017, Rob and Diane Perez opened DV8 Kitchen in Lexington, KY. The couple, who met while working in the restaurant industry, ran a successful restaurant in town. In 2013, Rob and Diane were dismayed to discover that they had lost 13 employees to addiction over 10 years and that half the cases were related to opioid drugs. Rob, who had overcome alcoholism when he was young, understood firsthand the challenges of recovery. Together, Rob and Diane decided to pursue a business venture that would provide dignified work and validate those in recovery. After a

2-year planning process, DV8 Kitchen came together in just 4 and half months. There was an outpouring of support from local families and businesses, ranging from monetary investments to local professionals donating their services to the project. In September 2017, DV8 Kitchen began touching lives in Lexington, one meal at a time.

Today, DV8 Kitchen continues their transformative work as a second-chance employment opportunity. The restaurant provides hearty, home-cooked Southern fare and is known for its homemade baked goods and bread, which it sells wholesale to other restaurants. Rob and Diane partner with local organizations and treatment centers, like Shepard's House, to identify and hire individuals in recovery. Beyond employment, DV8 Kitchen provides community, purpose, and job skills. Through volunteer-taught workshops and mentoring, employees are equipped to continue rebuilding their lives. Despite the challenges of the COVID-19 pandemic, Rob and Diane were able to keep DV8 Kitchen running and continue their critical mission of supporting individuals in recovery. Additionally, in fall 2021, DV8 Kitchen opened a second location with a larger bakery, right on Lexington's Third Street.

Beyond DV8 Kitchen, Rob and Diane are committed enabling small businesses to support workers in recovery. Through Soulfull Enterprise, an immersive training experience, local nonprofits, small businesses, and corporations are equipped to hire and integrate second-chance employees into their organizations. Additionally, the DV8 Kitchen Vocational Training Foundation, Inc., trains and equips individuals in recovery to work in the restaurant industry. DV8 Kitchen's remarkable mission and success has been recognized at the local, regional, and national level. Their work has been profiled by local media, including WTVQ, WKYT, and Lex 18, and in national outlets like the New York Times, NBC News, and Oprah Magazine. In addition to its social impact, DV8 Kitchen has earned accolades for its food, including being recognized by Yelp as one of the Top 100 Places to Eat in the U.S. in 2019.

DV8 Kitchen is a remarkable example of the critical role small businesses play in uplifting and building community. Family-owned small businesses like DV8 Kitchen form the heart of towns across Kentucky, regularly stepping up to support their communities and transform lives. Congratulations to Rob, Diane, and the entire team at DV8 Kitchen. I wish them the best of luck and look forward to watching their continued growth and success in Kentucky.●

RECOGNIZING ALEXANDER DAVIS MEN'S CLOTHING

● Mr. RISCH. Mr. President, as a senior member and former chairman of the

Senate Committee on Small Business and Entrepreneurship, each month I recognize and celebrate the American entrepreneurial spirit by highlighting the success of a small business in my home State of Idaho. Today, I am pleased to honor Alexander Davis Men's Clothing in Boise as the Idaho Small Business of the Month for September 2021.

Alexander Davis is a locally owned and operated men's clothing store located in downtown Boise at the corner of 8th and Bannock in the historic Hoff Building. Its founder, the two-time mayor of Boise and the 11th Governor of Idaho, Moses Alexander, established the small business in 1891 as a "one price clothier" that catered to the area's gold miners. Since opening its doors, Alexander Davis has developed a reputation as one of the State's premier tailors and clothiers. Their longevity and successes have caught the attention of clothing industry media. MR Magazine, a menswear trade publication, featured Alexander Davis in an article honoring businesses operating for more than 100 years. The publication celebrated Alexander Davis being the 11th oldest men's clothing store in the United States and one of the oldest stores of its kind west of the Mississippi River. The business has become a fixture in downtown Boise and credits its success to developing long-standing personal connections with their customers.

Alexander Davis's current owner and Grangeville native, David Graves, was a longtime employee of the store before starting the process to purchase the company with his wife, Kathleen, in 2006. Since taking the helm, David has made it a priority to build on the business's rich and long history. When customers enter the shop, they are welcomed by professional staff who provide one-on-one, personal service to ensure every client's individual needs are met. David looks forward to continuing his work at Alexander Davis and has positioned the store as the Treasure Valley's premier high-end clothing retailer.

Congratulations to David, Kathleen, and all of Alexander Davis Men's Clothing employees on being selected as the Idaho Small Business of the Month for September 2021. You make our great State proud, and I look forward to your continued growth and success.●

MESSAGES FROM THE HOUSE RECEIVED DURING ADJOURNMENT

ENROLLED BILL SIGNED

Under the authority of the order of the Senate of January 3, 2021, the Secretary of the Senate, on August 17, 2021, during the adjournment of the Senate, received a message from the House of Representatives announcing that the Speaker pro tempore (Mr. BEYER) had signed the following enrolled bill:

H.R. 1448. An act to direct the Secretary of Veterans Affairs to carry out a pilot program on dog training therapy, and to amend

title 38, United States Code, to authorize the Secretary of Veterans Affairs to provide service dogs to veterans with mental illnesses who do not have mobility impairments.

Under the authority of the order of the Senate of January 3, 2021, the enrolled bill was signed on August 20, 2021, during the adjournment of the Senate, by the Acting President pro tempore (Mr. BENNET).

ENROLLED BILL SIGNED

Under the authority of the order of the Senate of January 3, 2021, the following enrolled bill was signed on August 24, 2021, during the adjournment of the Senate, by the Acting President pro tempore (Mr. MURPHY):

H.R. 3642. An act to award a Congressional gold medal to the 369th Infantry Regiment, commonly known as the "Harlem Hellfighters", in recognition of their bravery and outstanding service during World War I.

Under the authority of the order of the Senate of January 3, 2021, the Secretary of the Senate, on August 24, 2021, during the adjournment of the Senate, received a message from the House of Representatives announcing that the Speaker signed the enrolled bill, previously signed by the Acting President pro tempore (Mr. MURPHY).

Under the authority of the order of the Senate of January 3, 2021, the Secretary of the Senate, on August 27, 2021, during the adjournment of the Senate, received a message from the House of Representatives announcing that the House had passed the following bills, without amendment:

S. 272. An act to amend the Federal Funding Accountability and Transparency Act of 2006, to require the budget justifications and appropriation requests of agencies be made publicly available.

S. 325. An act to amend the Alyce Spotted Bear and Walter Soboleff Commission on Native Children Act to extend the deadline for a report by the Alyce Spotted Bear and Walter Soboleff Commission on Native Children, and for other purposes.

Under the authority of the order of the Senate of January 3, 2021, the Secretary of the Senate, on August 27, 2021, during the adjournment of the Senate, received a message from the House of Representatives announcing that the House had agreed to the following concurrent resolution, without amendment:

S. Con. Res. 14. Concurrent resolution setting forth the congressional budget for the United States Government for fiscal year 2022 and setting forth the appropriate budgetary levels for fiscal years 2023 through 2031.

ENROLLED BILL SIGNED

Under the authority of the order of the Senate of January 3, 2021, the Secretary of the Senate, on August 31, 2021, during the adjournment of the Senate, received a message from the House of Representatives announcing that the Speaker pro tempore (Mr. RASKIN) had signed the following enrolled bill:

H.R. 5085. An act to amend section 1113 of the Social Security Act to provide authority for increase payments for temporary assistance to United States citizens returned from foreign countries, and for other purposes.

Under the authority of the order of the Senate of January 3, 2021, the enrolled bill was signed on August 31, 2021, during the adjournment of the Senate, by the Vice President.

SUBMISSION OF CONCURRENT AND SENATE RESOLUTIONS ON AUGUST 11, 2021

The following concurrent resolutions and Senate resolutions were read, and referred (or acted upon), as indicated:

By Mr. WICKER (for himself, Mrs. HYDE-SMITH, Mr. TILLIS, Mr. TUBERVILLE, Mr. CRUZ, Mr. COTTON, Mr. BOOZMAN, Mr. CORNYN, Mr. CASSIDY, Mr. WARNOCK, and Mr. SHELBY):

S. Res. 353. A resolution designating August 2021 as "National Catfish Month"; considered and agreed to.

By Mr. BRAUN (for himself and Mr. YOUNG):

S. Res. 354. A resolution celebrating the 100th Anniversary of military aviation in Indiana; considered and agreed to.

MESSAGES FROM THE PRESIDENT

Messages from the President of the United States were communicated to the Senate by Ms. Roberts, one of his secretaries.

EXECUTIVE MESSAGES REFERRED

As in executive session the Presiding Officer laid before the Senate messages from the President of the United States submitting sundry nominations and a withdrawal which were referred to the appropriate committees.

(The messages received today are printed at the end of the Senate proceedings.)

INTRODUCTION OF BILLS AND JOINT RESOLUTIONS

The following bills and joint resolutions were introduced, read the first and second times by unanimous consent, and referred as indicated:

By Mr. CASEY (for himself, Mr. BROWN, and Ms. WARREN):

S. 2713. A bill to amend the Bipartisan Congressional Trade Priorities and Accountability Act of 2015 to require that any trade agreement subject to expedited procedures under that Act contain certain requirements relating to the origination of goods in non-market economy countries; to the Committee on Finance.

By Mr. MENENDEZ (for himself and Mrs. GILLIBRAND):

S. 2714. A bill to amend the Internal Revenue Code of 1986 to provide funds for administration of the earned income tax credit in Puerto Rico; to the Committee on Finance.

By Mr. MENENDEZ (for himself and Mr. YOUNG):

S. 2715. A bill to amend the Internal Revenue Code of 1986 to modify the rules for constructive ownership with respect to real estate investment trusts; to the Committee on Finance.

By Mr. THUNE (for himself, Mr. TESTER, Mr. ROUNDS, and Mr. BOOKER):

S. 2716. A bill to amend the Agricultural Marketing Act of 1946 to establish country of

origin labeling requirements for beef, and for other purposes; to the Committee on Agriculture, Nutrition, and Forestry.

By Mr. MARKEY (for himself and Mr. BLUMENTHAL):

S. 2717. A bill to amend title 49, United States Code, to ensure that revenues collected from passengers as aviation security fees are used to help finance the costs of aviation security screening by repealing a requirement that a portion of such fees be credited as offsetting receipts and deposited in the general fund of the Treasury; to the Committee on Commerce, Science, and Transportation.

By Mrs. FEINSTEIN (for herself, Mr. LEE, Mr. WHITEHOUSE, Mr. CRUZ, and Ms. COLLINS):

S. 2718. A bill to clarify that an authorization to use military force, a declaration of war, or any similar authority shall not authorize the detention without charge or trial of a citizen or lawful permanent resident of the United States, and for other purposes; to the Committee on the Judiciary.

By Mr. MENENDEZ:

S. 2719. A bill to establish the United States-India Climate and Clean Energy Partnership to facilitate clean energy cooperation with India, to enhance cooperation with India on climate mitigation, resilience, and adaptation, and for other purposes; to the Committee on Foreign Relations.

By Mr. MORAN (for himself and Mr. TESTER):

S. 2720. A bill to direct the Secretary of Veterans Affairs to establish a national clinical pathway for prostate cancer, and for other purposes; to the Committee on Veterans' Affairs.

By Mr. CRAPO (for himself, Mr. TILLIS, Mr. BARRASSO, Mr. CASSIDY, Mr. CRAMER, Mr. BRAUN, Mr. RUBIO, Mr. ROUNDS, Mr. LANKFORD, Ms. MURKOWSKI, Mr. YOUNG, and Mr. BOOZMAN):

S. 2721. A bill to require the Internal Revenue Service to issue a report on the tax gap, to establish a fellowship program within the Internal Revenue Service to recruit mid-career tax professionals to create and participate in an audit task force, and for other purposes; to the Committee on Finance.

By Mrs. FEINSTEIN:

S. 2722. A bill for the relief of Esidronio Arreola-Saucedo, Maria Elena Cobian Arreola, Nayely Arreola Carlos, and Cindy Jael Arreola; to the Committee on the Judiciary.

By Ms. WARREN (for herself and Mr. BENNET):

S. 2723. A bill to amend the Congressional Budget and Impoundment Control Act of 1974 by requiring a distribution analysis of a bill or resolution under certain circumstances, and for other purposes; to the Committee on the Budget.

By Mr. KENNEDY (for himself, Mr. MENENDEZ, Mr. CASSIDY, and Mrs. HYDE-SMITH):

S. 2724. A bill to reauthorize the National Flood Insurance Program; to the Committee on Banking, Housing, and Urban Affairs.

By Mr. BLUMENTHAL (for himself, Mrs. FEINSTEIN, and Mr. WHITEHOUSE):

S. 2725. A bill to amend the Communications Decency Act to remove immunity for online firearms marketplaces, and for other purposes; to the Committee on Commerce, Science, and Transportation.

SUBMISSION OF CONCURRENT AND SENATE RESOLUTIONS

The following concurrent resolutions and Senate resolutions were read, and referred (or acted upon), as indicated:

By Mr. MARKEY (for himself, Mr. CASEY, Mr. BROWN, Ms. KLOBUCHAR, Ms. WARREN, Mr. WHITEHOUSE, Ms. HASSAN, Mr. MANCHIN, and Mr. BLUMENTHAL):

S. Res. 355. A resolution supporting the recognition and goals of Overdose Awareness Day in the United States; to the Committee on Health, Education, Labor, and Pensions.

By Mr. SCOTT of Florida (for himself and Mr. RUBIO):

S. Res. 356. A resolution recognizing the 500th anniversary of the founding of the city of San Juan, Puerto Rico; to the Committee on Energy and Natural Resources.

ADDITIONAL COSPONSORS

S. 168

At the request of Mr. MURPHY, the name of the Senator from Tennessee (Mrs. BLACKBURN) was added as a cosponsor of S. 168, a bill to provide temporary licensing reciprocity for telehealth and interstate health care treatment.

S. 221

At the request of Mr. MORAN, the name of the Senator from Nevada (Ms. ROSEN) was added as a cosponsor of S. 221, a bill to direct the Secretary of Defense to carry out a grant program to increase cooperation on post-traumatic stress disorder research between the United States and Israel.

S. 419

At the request of Mr. INHOFE, the name of the Senator from New York (Mrs. GILLIBRAND) was added as a cosponsor of S. 419, a bill to amend title 5, United States Code, to provide for a full annuity supplement for certain air traffic controllers.

S. 484

At the request of Mrs. GILLIBRAND, the name of the Senator from Georgia (Mr. OSSOFF) was added as a cosponsor of S. 484, a bill to establish grant programs for maternal mental health equity and to grow and diversify the maternal mental and behavioral health care workforce.

S. 490

At the request of Mr. WYDEN, the name of the Senator from Washington (Mrs. MURRAY) was added as a cosponsor of S. 490, a bill to modernize the technology for delivering unemployment compensation, and for other purposes.

S. 657

At the request of Mr. BOOZMAN, the name of the Senator from California (Mrs. FEINSTEIN) was added as a cosponsor of S. 657, a bill to modify the presumption of service connection for veterans who were exposed to herbicide agents while serving in the Armed Forces in Thailand during the Vietnam era, and for other purposes.

S. 697

At the request of Ms. ROSEN, the names of the Senator from New York (Mr. SCHUMER), the Senator from Nevada (Ms. CORTEZ MASTO), the Senator from Washington (Mrs. MURRAY), the Senator from New York (Mrs. GILLIBRAND) and the Senator from Wisconsin

(Ms. BALDWIN) were added as cosponsors of S. 697, a bill to require the Secretary of the Treasury to mint commemorative coins in recognition of the Bicentennial of Harriet Tubman's birth.

S. 735

At the request of Mr. WICKER, the names of the Senator from Michigan (Mr. PETERS) and the Senator from Tennessee (Mrs. BLACKBURN) were added as cosponsors of S. 735, a bill to amend the Scientific and Advanced-Technology Act of 1992 to further support advanced technological manufacturing, and for other purposes.

S. 834

At the request of Mr. MENENDEZ, the name of the Senator from Maryland (Mr. VAN HOLLEN) was added as a cosponsor of S. 834, a bill to amend title XVIII of the Social Security Act to provide for the distribution of additional residency positions, and for other purposes.

S. 851

At the request of Mr. BLUMENTHAL, the name of the Senator from Georgia (Mr. OSSOFF) was added as a cosponsor of S. 851, a bill to address social determinants of maternal health.

S. 852

At the request of Mr. BLUMENTHAL, the name of the Senator from Rhode Island (Mr. REED) was added as a cosponsor of S. 852, a bill to provide for further comprehensive research at the National Institute of Neurological Disorders and Stroke on unruptured intracranial aneurysms.

S. 968

At the request of Mr. COTTON, the name of the Senator from Alaska (Mr. SULLIVAN) was added as a cosponsor of S. 968, a bill to prohibit the United States Armed Forces from promoting anti-American and racist theories.

S. 1061

At the request of Mr. PORTMAN, the names of the Senator from Rhode Island (Mr. REED) and the Senator from Iowa (Ms. ERNST) were added as cosponsors of S. 1061, a bill to encourage the normalization of relations with Israel, and for other purposes.

S. 1210

At the request of Mr. BLUMENTHAL, the name of the Senator from Kansas (Mr. MARSHALL) was added as a cosponsor of S. 1210, a bill to amend the Lacey Act Amendments of 1981 to clarify provisions enacted by the Captive Wildlife Safety Act, to further the conservation of certain wildlife species, and for other purposes.

S. 1217

At the request of Ms. WARREN, the name of the Senator from Ohio (Mr. BROWN) was added as a cosponsor of S. 1217, a bill to amend the Securities Exchange Act of 1934 to require certain disclosures relating to climate change, and for other purposes.

S. 1511

At the request of Mr. GRASSLEY, the name of the Senator from Georgia (Mr.

OSSOFF) was added as a cosponsor of S. 1511, a bill to amend the Omnibus Crime Control and Safe Streets Act of 1968 with respect to payments to certain public safety officers who have become permanently and totally disabled as a result of personal injuries sustained in the line of duty, and for other purposes.

S. 1588

At the request of Mr. BLUMENTHAL, the name of the Senator from Minnesota (Ms. SMITH) was added as a cosponsor of S. 1588, a bill to amend the Lacey Act Amendments of 1981 to prohibit importation, exportation, transportation, sale, receipt, acquisition, and purchase in interstate or foreign commerce, or in a manner substantially affecting interstate or foreign commerce, or possession, of any live animal of any prohibited primate species.

S. 1609

At the request of Mr. MARKEY, the names of the Senator from Nevada (Ms. CORTEZ MASTO) and the Senator from Nevada (Ms. ROSEN) were added as cosponsors of S. 1609, a bill to amend the Internal Revenue Code of 1986 to ensure that electrochromic glass qualifies as energy property for purposes of the energy credit.

S. 1636

At the request of Mr. MARSHALL, the names of the Senator from Iowa (Ms. ERNST) and the Senator from Florida (Mr. RUBIO) were added as cosponsors of S. 1636, a bill to clarify the treatment of 2 or more employers as joint employers under the National Labor Relations Act and the Fair Labor Standards Act of 1938.

S. 1670

At the request of Ms. ERNST, the names of the Senator from New Hampshire (Ms. HASSAN), the Senator from California (Mrs. FEINSTEIN), the Senator from Arizona (Mr. KELLY), the Senator from Delaware (Mr. COONS), the Senator from Maine (Mr. KING), the Senator from Connecticut (Mr. BLUMENTHAL), the Senator from Wisconsin (Ms. BALDWIN), the Senator from Arizona (Ms. SINEMA), the Senator from New York (Mrs. GILLIBRAND), the Senator from Nevada (Ms. ROSEN) and the Senator from Pennsylvania (Mr. CASEY) were added as cosponsors of S. 1670, a bill to amend the Internal Revenue Code of 1986 to provide a non-refundable credit for working family caregivers.

S. 1768

At the request of Mr. VAN HOLLEN, the name of the Senator from Georgia (Mr. OSSOFF) was added as a cosponsor of S. 1768, a bill to make grants to support online training of residential contractors and rebates for the energy efficiency upgrades of homes and multifamily buildings, and for other purposes.

S. 1810

At the request of Ms. KLOBUCHAR, the names of the Senator from New Hampshire (Mrs. SHAHEEN) and the Senator

from North Carolina (Mr. TILLIS) were added as cosponsors of S. 1810, a bill to provide incentives to physicians to practice in rural and medically underserved communities, and for other purposes.

S. 1813

At the request of Mr. COONS, the names of the Senator from Nevada (Ms. ROSEN), the Senator from Oklahoma (Mr. INHOFE), the Senator from Connecticut (Mr. BLUMENTHAL), the Senator from New York (Mrs. GILLIBRAND), the Senator from Connecticut (Mr. MURPHY), the Senator from Hawaii (Mr. SCHATZ) and the Senator from Pennsylvania (Mr. CASEY) were added as cosponsors of S. 1813, a bill to direct the Secretary of Health and Human Services to support research on, and expanded access to, investigational drugs for amyotrophic lateral sclerosis, and for other purposes.

S. 1848

At the request of Mrs. GILLIBRAND, the name of the Senator from Vermont (Mr. LEAHY) was added as a cosponsor of S. 1848, a bill to prohibit discrimination on the basis of religion, sex (including sexual orientation and gender identity), and marital status in the administration and provision of child welfare services, to improve safety, well-being, and permanency for lesbian, gay, bisexual, transgender, and queer or questioning foster youth, and for other purposes.

S. 2005

At the request of Mr. BOOZMAN, the name of the Senator from Pennsylvania (Mr. CASEY) was added as a cosponsor of S. 2005, a bill to amend the Richard B. Russell National School Lunch Act to require alternative options for summer food service program delivery.

S. 2011

At the request of Mr. COONS, the names of the Senator from Iowa (Mr. GRASSLEY), the Senator from California (Mr. PADILLA), the Senator from Minnesota (Ms. SMITH), the Senator from Nevada (Ms. CORTEZ MASTO) and the Senator from New Mexico (Mr. LUJÁN) were added as cosponsors of S. 2011, a bill to award a Congressional Gold Medal to honor the contributions of all those whose efforts led to the successful development of life saving vaccines to combat the novel coronavirus.

S. 2160

At the request of Mr. MORAN, the name of the Senator from Indiana (Mr. BRAUN) was added as a cosponsor of S. 2160, a bill to prohibit the Administrator of General Services from establishing per diem reimbursements rates for travel within the continental United States (commonly known as "CONUS") for certain fiscal years below a certain level, and for other purposes.

S. 2177

At the request of Mr. BENNET, the names of the Senator from New Jersey (Mr. BOOKER) and the Senator from

Colorado (Mr. HICKENLOOPER) were added as cosponsors of S. 2177, a bill to amend the Mineral Leasing Act to ensure sufficient bonding and complete and timely reclamation of land and water disturbed by Federal and Indian oil and gas production, and for other purposes.

S. 2190

At the request of Mr. YOUNG, the name of the Senator from Nevada (Ms. ROSEN) was added as a cosponsor of S. 2190, a bill to establish the Task Force on the Impact of the Affordable Housing Crisis, and for other purposes.

S. 2221

At the request of Mr. CRUZ, the names of the Senator from Montana (Mr. DAINES) and the Senator from Tennessee (Mrs. BLACKBURN) were added as cosponsors of S. 2221, a bill to restrict executive agencies from acting in contravention of Executive Order 13950, and for other purposes.

S. 2256

At the request of Mr. DAINES, the name of the Senator from New Mexico (Mr. HEINRICH) was added as a cosponsor of S. 2256, a bill to amend the Internal Revenue Code of 1986 to limit the charitable deduction for certain qualified conservation contributions.

S. 2280

At the request of Mr. YOUNG, the names of the Senator from Nevada (Ms. ROSEN) and the Senator from Kansas (Mr. MARSHALL) were added as cosponsors of S. 2280, a bill to provide PreCheck to certain severely injured or disabled veterans, and for other purposes.

S. 2305

At the request of Mr. OSSOFF, the name of the Senator from Texas (Mr. CORNYN) was added as a cosponsor of S. 2305, a bill to enhance cybersecurity education.

S. 2346

At the request of Mr. COTTON, the names of the Senator from Tennessee (Mrs. BLACKBURN) and the Senator from Montana (Mr. DAINES) were added as cosponsors of S. 2346, a bill to codify Executive Order 13950 (relating to combating race and sex stereotyping), and for other purposes.

S. 2372

At the request of Mr. HEINRICH, the name of the Senator from North Carolina (Mr. TILLIS) was added as a cosponsor of S. 2372, a bill to amend the Pittman-Robertson Wildlife Restoration Act to make supplemental funds available for management of fish and wildlife species of greatest conservation need as determined by State fish and wildlife agencies, and for other purposes.

S. 2458

At the request of Mr. INHOFE, the name of the Senator from Florida (Mr. SCOTT) was added as a cosponsor of S. 2458, a bill to clarify that individuals engaged in aircraft flight instruction or testing, including phased testing of experimental aircraft, are not oper-

ating an aircraft carrying persons or property for compensation or hire.

S. 2475

At the request of Mr. CRAPO, the name of the Senator from Louisiana (Mr. CASSIDY) was added as a cosponsor of S. 2475, a bill to amend the Internal Revenue Code of 1986 to provide investment and production tax credits for emerging energy technologies, and for other purposes.

S. 2482

At the request of Mr. LEAHY, the names of the Senator from New York (Mr. SCHUMER), the Senator from Vermont (Mr. SANDERS) and the Senator from New York (Mrs. GILLIBRAND) were added as cosponsors of S. 2482, a bill to amend the Champlain Valley National Heritage Partnership Act of 2006 to reauthorize the Champlain Valley National Heritage Partnership, and for other purposes.

S. 2493

At the request of Mr. BENNET, the names of the Senator from Kansas (Mr. MORAN) and the Senator from Georgia (Mr. OSSOFF) were added as cosponsors of S. 2493, a bill to extend the deadline for eligible health care providers to use certain funds received from the COVID-19 Provider Relief Fund, and for other purposes.

S. 2501

At the request of Mr. MARKEY, the name of the Senator from Virginia (Mr. KAINE) was added as a cosponsor of S. 2501, a bill to require the Secretary of Energy to establish an offshore wind career training grant program, and for other purposes.

S. 2510

At the request of Mr. MARKEY, the name of the Senator from Nevada (Ms. ROSEN) was added as a cosponsor of S. 2510, a bill to reduce the health risks of heat by establishing the National Integrated Heat Health Information System Program within the National Oceanic and Atmospheric Administration and the National Integrated Heat Health Information System Interagency Committee to improve extreme heat preparedness, planning, and response, requiring a study, and establishing financial assistance programs to address heat effects, and for other purposes.

S. 2515

At the request of Mrs. GILLIBRAND, the name of the Senator from California (Mr. PADILLA) was added as a cosponsor of S. 2515, a bill to amend the Food and Nutrition Act of 2008 to treat attendance at an institution of higher education the same as work for the purpose of determining eligibility to participate in the supplemental nutrition assistance program.

S. 2571

At the request of Mr. PETERS, the names of the Senator from New Hampshire (Mrs. SHAHEEN) and the Senator from Mississippi (Mrs. HYDE-SMITH) were added as cosponsors of S. 2571, a bill to provide for the inclusion on the

Vietnam Veterans Memorial Wall of the names of the soldiers who died on Flying Tiger Flight 739 on March 16, 1962.

S. 2582

At the request of Mr. OSSOFF, the name of the Senator from New Jersey (Mr. MENENDEZ) was added as a cosponsor of S. 2582, a bill to amend the Internal Revenue Code of 1986 to expand the residential energy efficient property credit and energy credit, and for other purposes.

S. 2593

At the request of Mr. RUBIO, the names of the Senator from Tennessee (Mr. HAGERTY) and the Senator from South Carolina (Mr. SCOTT) were added as cosponsors of S. 2593, a bill to amend the Higher Education Act of 1965 to improve Federal oversight of foreign funding in education.

S. 2675

At the request of Mr. CARDIN, the names of the Senator from Nevada (Ms. CORTEZ MASTO), the Senator from Maine (Mr. KING) and the Senator from Connecticut (Mr. BLUMENTHAL) were added as cosponsors of S. 2675, a bill to amend the American Rescue Plan Act of 2021 to increase appropriations to Restaurant Revitalization Fund, and for other purposes.

S. 2686

At the request of Mr. CRUZ, the name of the Senator from Indiana (Mr. BRAUN) was added as a cosponsor of S. 2686, a bill to prohibit vaccination mandates for COVID-19.

S. 2710

At the request of Mrs. BLACKBURN, the name of the Senator from Florida (Mr. RUBIO) was added as a cosponsor of S. 2710, a bill to promote competition and reduce gatekeeper power in the app economy, increase choice, improve quality, and reduce costs for consumers.

S.J. RES. 10

At the request of Mr. KAINE, the name of the Senator from Ohio (Mr. BROWN) was added as a cosponsor of S.J. Res. 10, a joint resolution to repeal the authorizations for use of military force against Iraq, and for other purposes.

S. CON. RES. 3

At the request of Mr. MANCHIN, the name of the Senator from Mississippi (Mrs. HYDE-SMITH) was added as a cosponsor of S. Con. Res. 3, a concurrent resolution authorizing the use of the rotunda of the Capitol for the lying in state of the remains of the last Medal of Honor recipient of World War II, in order to honor the Greatest Generation and the more than 16,000,000 men and women who served in the Armed Forces of the United States from 1941 to 1945.

S. RES. 183

At the request of Mr. WYDEN, the names of the Senator from Georgia (Mr. WARNOCK), the Senator from Alaska (Mr. SULLIVAN), the Senator from New Hampshire (Ms. HASSAN), the Senator from Missouri (Mr. BLUNT), the

Senator from Connecticut (Mr. MURPHY), the Senator from Pennsylvania (Mr. TOOMEY) and the Senator from Maryland (Mr. VAN HOLLEN) were added as cosponsors of S. Res. 183, a resolution condemning the Government of Iran's state-sponsored persecution of its Baha'i minority and its continued violation of the International Covenants on Human Rights.

S. RES. 334

At the request of Ms. WARREN, the name of the Senator from Connecticut (Mr. BLUMENTHAL) was added as a cosponsor of S. Res. 334, a resolution memorializing those impacted by and lost to the COVID-19 virus.

STATEMENTS ON INTRODUCED BILLS AND JOINT RESOLUTIONS

By Mr. THUNE (for himself, Mr. TESTER, Mr. ROUNDS, and Mr. BOOKER):

S. 2716. A bill to amend the Agricultural Marketing Act of 1946 to establish country of origin labeling requirements for beef, and for other purposes; to the Committee on Agriculture, Nutrition, and Forestry.

Mr. THUNE. Mr. President, I ask unanimous consent that the text of the bill be printed in the RECORD.

S. 2716

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,

SECTION 1. SHORT TITLE.

This Act may be cited as the "American Beef Labeling Act of 2021".

SEC. 2. COUNTRY OF ORIGIN LABELING FOR BEEF.

(a) DEFINITIONS.—Section 281 of the Agricultural Marketing Act of 1946 (7 U.S.C. 1638) is amended—

(1) by redesignating paragraphs (1) through (7) as paragraphs (2) through (8), respectively;

(2) by inserting before paragraph (2) (as so redesignated) the following:

"(1) BEEF.—The term 'beef' means meat produced from cattle (including veal)."; and

(3) in subparagraph (A) of paragraph (2) (as so redesignated)—

(A) in clause (i), by inserting ", beef," after "lamb"; and

(B) in clause (ii), by inserting ", ground beef," after "lamb".

(b) NOTICE OF COUNTRY OF ORIGIN.—Section 282(a)(2) of the Agricultural Marketing Act of 1946 (7 U.S.C. 1638a(a)(2)) is amended—

(1) in the paragraph heading, by inserting "BEEF," after "FOR";

(2) in each of subparagraphs (A) through (D), by inserting "beef," before "lamb" each place it appears; and

(3) in subparagraph (E)—

(A) in the subparagraph heading, by inserting "BEEF," after "GROUND"; and

(B) by inserting "ground beef," before "ground lamb" each place it appears.

(c) MEANS OF REINSTATING MCOOL FOR BEEF.—

(1) DETERMINATION OF MEANS.—Not later than 180 days after the date of enactment of this Act, the United States Trade Representative, in consultation with the Secretary of Agriculture, shall determine a means of reinstating mandatory country of origin labeling for beef in accordance with the amendments made by subsections (a) and (b) that is in compliance with all applicable rules of the World Trade Organization.

(2) IMPLEMENTATION OF MEANS.—Not later than 1 year after the date of enactment of this Act, the United States Trade Representative and the Secretary of Agriculture shall implement the means determined under paragraph (1).

(d) EFFECTIVE DATE.—The amendments made by subsections (a) and (b) take effect on the earlier of—

(1) the date on which the Secretary of Agriculture publishes a determination in the Federal Register that the means determined under paragraph (1) of subsection (c) have been implemented under paragraph (2) of that subsection; and

(2) the date that is 1 year after the date of enactment of this Act.

By Mrs. FEINSTEIN (for herself, Mr. LEE, Mr. WHITEHOUSE, Mr. CRUZ, and Ms. COLLINS):

S. 2718. A bill to clarify that an authorization to use military force, a declaration of war, or any similar authority shall not authorize the detention without charge or trial of a citizen or lawful permanent resident of the United States, and for other purposes; to the Committee on the Judiciary.

Mrs. FEINSTEIN. Mr. President, today, I am reintroducing legislation to ensure that no American Citizen or green card holder faces indefinite detention without charge or trial.

Indefinite detention is an unfortunate legacy of America's not-too-distant past. The internment of Japanese-Americans during World War II remains a dark spot on our Nation's legacy, and it is something we should never repeat.

To ensure that this reprehensible experience would never happen again, Congress passed, and President Nixon signed into law, the Non-Detention Act of 1971. The Act states that "no citizen shall be imprisoned or otherwise detained by the United States except pursuant to an Act of Congress."

One would have hoped that this legislation would have brought an end to the notion that Americans could ever again be imprisoned at the whim of the Executive. Yet, in 2002, José Padilla, a U.S. citizen, was arrested in Chicago. He was initially detained pursuant to a material witness warrant based on the 9/11 terrorist attacks, but he was later designated as an "enemy combatant" who conspired with al-Qaeda to carry out terrorist attacks inside the United States.

Padilla was transferred to the military brig in South Carolina, where he was detained for three-and-a-half years while seeking habeas corpus relief. Padilla was never charged with attempting to carry out a terrorist attack. Instead, he was transferred to Federal civilian custody in Florida in November of 2005, where he was convicted of other charges related to terrorist plots overseas.

While he was detained by the military, Padilla filed a habeas corpus petition, which was first litigated in the Second Circuit Court of Appeals. The Second Circuit rejected the argument, advanced by the Bush Administration, that Padilla's detention was authorized

by the Authorization for the Use of Military Force (AUMF) against al-Qaeda and its affiliated terrorist groups, concluding instead that “clear congressional authorization is required for detentions of American citizens on American soil” and the AUMF was “not such an authorization.” Ultimately, however, the Supreme Court reversed the Second Circuit’s decision on other grounds, leaving an open question as to whether the AUMF or other military authorities can be used to indefinitely detain Americans apprehended in the United States.

It is past time for Congress to resolve this legal ambiguity, consistent with our values, by stating once and for all that the AUMF and similar authorities do not authorize the indefinite detention of Americans apprehended in the United States. The Due Process Guarantee Act would accomplish this by codifying the “clear statement” rule articulated by the Second Circuit in José Padilla’s case and clarifying that authorizations for the use of military force and similar authorizations cannot be construed as acts of Congress that permit indefinite detention.

There is no legitimate reason to detain Americans without due process. We have a court system that is fully capable of trying and convicting terrorism suspects using existing laws and processes. We made a serious mistake when we detained Japanese-Americans during World War II, and we must never repeat it.

I thank the Senator from Utah for his long partnership with me on this issue as well as the Senators from Rhode Island, Texas, and Maine for their longstanding support. We were able to pass this bill in the Senate in 2013, and I am confident we can do so again.

I ask unanimous consent that a copy of the bill be included in the RECORD.

S. 2718

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,

SECTION 1. SHORT TITLE.

This Act may be cited as the “Due Process Guarantee Act”.

SEC. 2. PROHIBITION ON THE INDEFINITE DETENTION OF CITIZENS AND LAWFUL PERMANENT RESIDENTS.

(a) LIMITATION ON DETENTION.—

(1) IN GENERAL.—Section 4001(a) of title 18, United States Code, is amended—

(A) by striking “No citizen” and inserting the following:

“(1) No citizen or lawful permanent resident of the United States”; and

(B) by adding at the end the following:

“(2) Any Act of Congress that authorizes an imprisonment or detention described in paragraph (1) shall be consistent with the Constitution and expressly authorize such imprisonment or detention.”.

(2) APPLICABILITY.—Nothing in section 4001(a)(2) of title 18, United States Code, as added by paragraph (1)(B), may be construed to limit, narrow, abolish, or revoke any detention authority conferred by statute, declaration of war, authorization to use military force, or similar authority effective prior to the date of the enactment of this Act.

(b) RELATIONSHIP TO AN AUTHORIZATION TO USE MILITARY FORCE, DECLARATION OF WAR, OR SIMILAR AUTHORITY.—Section 4001 of title 18, United States Code, as amended by subsection (a) is further amended—

(1) by redesignating subsection (b) as subsection (c); and

(2) by inserting after subsection (a) the following:

“(b)(1) No United States citizen or lawful permanent resident who is apprehended in the United States may be imprisoned or otherwise detained without charge or trial unless such imprisonment or detention is expressly authorized by an Act of Congress.

“(2) A general authorization to use military force, a declaration of war, or any similar authority, on its own, may not be construed to authorize the imprisonment or detention without charge or trial of a citizen or lawful permanent resident of the United States apprehended in the United States.

“(3) Paragraph (2) shall apply to an authorization to use military force, a declaration of war, or any similar authority enacted before, on, or after the date of the enactment of the Due Process Guarantee Act.

“(4) This section may not be construed to authorize the imprisonment or detention of a citizen of the United States, a lawful permanent resident of the United States, or any other person who is apprehended in the United States.”.

By Mrs. FEINSTEIN:

S. 2722. A bill for the relief of Esidronio Arreola-Saucedo, Maria Elena Cobian Arreola, Nayely Arreola Carlos, and Cindy Jael Arreola; to the Committee on the Judiciary.

Mrs. FEINSTEIN. Mr. President, today, I offer private immigration relief legislation to provide lawful permanent resident status to Esidronio Arreola-Saucedo, Maria Elena Cobian Arreola, Nayely Arreola Carlos, and Cindy Jael Arreola. The Arreolas are Mexican nationals living in the Fresno area of California.

Esidronio and Maria Elena have lived in the United States for over 20 years. Two of their five children, Nayely and Cindy, also stand to benefit from this legislation.

The other three Arreola children, Roberto, age 29, Daniel, age 25, and Saray, age 24, are U.S. citizens.

The story of the Arreola family is compelling, and I believe they merit Congress’s special consideration for such an extraordinary form of relief as a private bill.

The Arreolas are facing deportation in part because of grievous errors committed by their previous counsel, who has since been disbarred. In fact, the attorney’s conduct was so egregious that it compelled an immigration judge to write to the Executive Office of Immigration Review seeking the attorney’s disbarment for his actions in his clients’ immigration cases.

Esidronio came to the United States in 1986 and was an agricultural migrant worker in the fields of California for several years. As a migrant worker at that time, he would have been eligible for permanent residence through the Seasonal Agricultural Workers (SAW) program had he known about it.

Maria Elena was living in the United States at the time she became preg-

nant with her daughter Cindy. She returned to Mexico to give birth because she wanted to avoid any immigration issues.

Because of the length of time that the Arreolas were in the United States, it is likely that they would have qualified for suspension of deportation, which would have allowed them to remain in the United States legally. However, the poor legal representation they received foreclosed this opportunity.

One of the most compelling reasons for my introduction of this private bill is the devastating impact that the deportation of Esidronio and Maria Elena would have on their children—three of whom are American citizens—and the other two who have lived in the United States since they were toddlers. America is the only country the Arreola children have ever known.

Nayely, the oldest, was the first in her family to graduate from high school and the first to graduate college. She recently received her Master’s degree in Business Administration from Fresno Pacific University and now works at Gap, Inc. Nayely is married and has a young son named Elijah and a young daughter named Brooklyn.

At a young age, Nayely demonstrated a strong commitment to the ideals of citizenship in her adopted country. She worked hard to achieve her full potential both through her academic endeavors and community service. As the Associate Dean of Enrollment Services at Fresno Pacific University states in a letter of support, “the leaders of Fresno Pacific University saw in Nayely[] a young person who will become exemplary of all that is good in the American dream.”

In high school, Nayely was a member of Advancement Via Individual Determination, a college preparatory program in which students commit to determining their own futures by attaining a college degree. Nayely was also President of the Key Club, a community service organization. Perhaps the greatest hardship to Nayely’s U.S. citizen husband and child, if she were forced to return to Mexico, would be her lost opportunity to realize her dreams and contribute further to her community and to this country.

Nayely’s sister, Cindy, is also married and has three children. Neither Nayely nor Cindy is eligible to automatically adjust their status based on their marriages because of their initial unlawful entry.

The Arreolas also have other family who are U.S. citizens or lawful permanent residents. Maria Elena has three brothers who are American citizens, and Esidronio has a sister who is an American citizen. They have no immediate family in Mexico.

According to immigration authorities, this family has never had any problems with law enforcement. I am told that they have filed their taxes for every year from 1990 to the present. They have always worked hard to support themselves.

As I mentioned, Esidronio was previously employed as a farm worker, but now has his own business in California repairing electronics. His business has been successful enough to enable him to purchase a home for his family. He and his wife are active in their church community and in their children's education.

It is clear to me that this family has embraced the American dream. Enactment of the legislation I have reintroduced today will enable the Arreolas to continue to make significant contributions to their community as well as the United States.

I ask my colleagues to support this private bill.

Mr. President, I ask unanimous consent that the text of the bill be printed in the RECORD.

S. 2722

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,

SECTION 1. PERMANENT RESIDENT STATUS FOR ESIDRONIO ARREOLA-SAUCEDO, MARIA ELENA COBIAN ARREOLA, NAYELY ARREOLA CARLOS, AND CINDY Jael ARREOLA.

(a) IN GENERAL.—Notwithstanding subsections (a) and (b) of section 201 of the Immigration and Nationality Act (8 U.S.C. 1151), Esidronio Arreola-Saucedo, Maria Elena Cobian Arreola, Nayely Arreola Carlos, and Cindy Jael Arreola shall each be eligible for issuance of an immigrant visa or for adjustment of status to that of an alien lawfully admitted for permanent residence upon filing an application for issuance of an immigrant visa under section 204 of such Act (8 U.S.C. 1154) or for adjustment of status to lawful permanent resident.

(b) ADJUSTMENT OF STATUS.—If Esidronio Arreola-Saucedo, Maria Elena Cobian Arreola, Nayely Arreola Carlos, and Cindy Jael Arreola enter the United States before the filing deadline specified in subsection (c), Esidronio Arreola-Saucedo, Maria Elena Cobian Arreola, Nayely Arreola Carlos, and Cindy Jael Arreola shall be considered to have entered and remained lawfully in the United States and shall be eligible for adjustment of status under section 245 of the Immigration and Nationality Act (8 U.S.C. 1255) as of the date of the enactment of this Act.

(c) APPLICATION AND PAYMENT OF FEES.—Subsections (a) and (b) shall apply only if the applications for issuance of immigrant visas or the applications for adjustment of status are filed with appropriate fees not later than two years after the date of the enactment of this Act.

(d) REDUCTION OF IMMIGRANT VISA NUMBERS.—Upon the granting of immigrant visas or permanent residence to Esidronio Arreola-Saucedo, Maria Elena Cobian Arreola, Nayely Arreola Carlos, and Cindy Jael Arreola, the Secretary of State shall instruct the proper officer to reduce by four, during the current or next following fiscal year—

(1) the total number of immigrant visas that are made available to natives of the country of birth of Esidronio Arreola-Saucedo, Maria Elena Cobian Arreola, Nayely Arreola Carlos, and Cindy Jael Arreola under section 203(a) of the Immigration and Nationality Act (8 U.S.C. 1153(a)); or

(2) if applicable, the total number of immigrant visas that are made available to natives of the country of birth of Esidronio Arreola-Saucedo, Maria Elena Cobian Arreola, Nayely Arreola Carlos, and Cindy

Jael Arreola under section 202(e) of such Act (8 U.S.C. 1152(e)).

(e) PAYGO.—The budgetary effects of this Act, for the purpose of complying with the Statutory Pay-As-You-Go Act of 2010, shall be determined by reference to the latest statement titled "Budgetary Effects of PAYGO Legislation" for this Act, submitted for printing in the Congressional Record by the Chairman of the Senate Budget Committee, provided that such statement has been submitted prior to the vote on passage.

SUBMITTED RESOLUTIONS

SENATE RESOLUTION 355—SUPPORTING THE RECOGNITION AND GOALS OF OVERDOSE AWARENESS DAY IN THE UNITED STATES

Mr. MARKEY (for himself, Mr. CASEY, Mr. BROWN, Ms. KLOBUCHAR, Ms. WARREN, Mr. WHITEHOUSE, Ms. HASSAN, Mr. MANCHIN, and Mr. BLUMENTHAL) submitted the following resolution; which was referred to the Committee on Health, Education, Labor, and Pensions:

S. RES. 355

Whereas more than 750,000 individuals in the United States have died from a drug overdose since 1999;

Whereas substance use disorders and drug overdoses affect all socioeconomic groups, racial and ethnic groups, geographic regions, and ages;

Whereas substance use disorders are a chronic disease, and recognizing those disorders as such decreases stigma and acknowledges that substance use may be beyond the control of an individual;

Whereas overdose deaths are preventable, and lives can be saved through awareness, prevention, intervention, treatment, and recovery support;

Whereas overdose deaths claimed more than 93,000 lives in the United States in 2020, and the Coronavirus Disease 2019 (COVID-19) pandemic has contributed to the acceleration of overdose deaths;

Whereas communities across the United States have been pained by substance use disorders through the premature loss of lives and the stigma associated with drug-related fatalities; and

Whereas numerous States across the United States have lowered their State flags in recognition of Overdose Awareness Day: Now, therefore, be it

Resolved, That the Senate—

(1) supports the recognition and goals of Overdose Awareness Day in the United States; and

(2) encourages all Federal buildings in the United States to lower their flags to half-staff on August 31 of each year to support awareness of overdoses.

SENATE RESOLUTION 356—RECOGNIZING THE 500TH ANNIVERSARY OF THE FOUNDING OF THE CITY OF SAN JUAN, PUERTO RICO

Mr. SCOTT of Florida (for himself and Mr. RUBIO) submitted the following resolution; which was referred to the Committee on Energy and Natural Resources:

S. RES. 356

Whereas, since 1898, after the Spanish-American War and with the ratification of

the Treaty of Paris, Puerto Rico has been a territory of the United States;

Whereas the city of San Juan, the capital of Puerto Rico, is the oldest continuously inhabited city established by Europeans within United States territory;

Whereas, as reference, the city of Saint Augustine, in the State of Florida, was established in 1565, which makes the city of San Juan about 44 years older;

Whereas San Juan is also the third-oldest capital city established by Europeans in the Americas, after Santo Domingo, Dominican Republic (1496), and Panama City, Panama (1519);

Whereas San Juan is home to the second-oldest church in the Americas, Iglesia San José, which started construction in 1532 and has just reopened its doors after more than 2 decades of restoration work;

Whereas the Palacio de Santa Catalina, also known as La Fortaleza, initially constructed between 1533 and 1540, also located in San Juan, is the oldest executive mansion in continuous use in the Americas;

Whereas, on March 4, 1513, Juan Ponce de León, Puerto Rico's first Governor and conquistador, departed from Puerto Rico to lead the first known expedition to what is now the State of Florida;

Whereas Juan Ponce de León was interred in San Juan in 1521 and his tomb is now located in the Cathedral of San Juan Bautista;

Whereas the architectural and cultural heritage of San Juan has been recognized by the United Nations as a World Heritage Site and by the United States National Park Service with the establishment of the San Juan National Historic Site;

Whereas the architectural and cultural heritage of San Juan includes the fortifications built between the 1500s and 1700s to protect San Juan against invading forces, including Castillo San Felipe del Morro, most of the city walls, the San Juan Gate, Fort San Juan de la Cruz, and Fort San Cristóbal, considered the largest fortress built in the Americas;

Whereas these fortifications remained active defenses of the United States Armed Forces until World War II;

Whereas, on March 21, 1915, Lieutenant Teófilo Marxuach, officer at El Morro Castle, ordered fire upon the German armed supply ship Odenwald trying to force its way out of San Juan Bay to deliver supplies to German submarines in the Atlantic Ocean, in what is considered to be the first shot fired by the regular Armed Forces of the United States against any ship flying the colors of the Central Powers of World War I;

Whereas, in 1946, Felisa Rincón de Gautier was appointed mayor of San Juan, making her the first woman mayor of a capital city in the Americas;

Whereas, in 1959, San Juan was awarded the All-America City Award, an award given by the National Civic League, which recognizes communities that leverage civic engagement, collaboration, inclusiveness, and innovation to successfully address local issues;

Whereas the "Escuelas Maternales", established in San Juan by mayor Rincón de Gautier would eventually become the model for the Head Start programs in the United States;

Whereas San Juan has hosted several major sporting events, including the—

(1) 1966 Central American and Caribbean Games;

(2) 1979 Pan American Games;

(3) Baseball Winter League Caribbean World Series in 1950, 1954, 1958, 1971, 1975, 1979, 1984, 1995, 1999, 2015, and 2020;

(4) World Baseball Classic in 2006, 2009, and 2013;

(5) 1974 FIBA World Championship;

(6) FIBA Americas Championship in 1980, 1993, 1999, 2003, and 2009; and

(7) 2010 Latin American Regional Special Olympics;

Whereas the city of San Juan is now a main center of industry, commerce, and culture and a touchstone of the culture of the Puerto Rican community across the United States and the world; and

Whereas the city of San Juan will celebrate the quinquennial anniversary of the city from September 2021 to May 2022: Now, therefore, be it

Resolved, That the Senate—

(1) recognizes the 500th anniversary of the founding of the city of San Juan, Puerto Rico;

(2) honors the history of the city of San Juan, Puerto Rico; and

(3) encourages the people of the United States to observe and recognize the quinquennial anniversary of the city of San Juan.

ORDERS FOR TUESDAY, SEPTEMBER 14, 2021

Mr. SCHUMER. Mr. President, I ask unanimous consent that when the Senate completes its business today, it adjourn until 10 a.m., Tuesday, September 14; that following the prayer and pledge, the morning hour be deemed expired, the Journal of proceedings be approved to date, and the time for the two leaders be reserved for their use later in the day and morning business be closed; that upon the conclusion of morning business, the Senate proceed to executive session to resume consideration of the Kvaal nomination postcloture; further, that all postcloture time on the Kvaal nomination expire at 11:30 a.m.; that following the cloture vote on the Estudillo nomination, the Senate recess until 2:15 p.m. to allow for the weekly caucus meetings; that if cloture is invoked, at 2:20 p.m., all postcloture time on the Estudillo nomination expire; that if cloture is invoked on the Kelley nomination, all postcloture time expire at 5:30 p.m.; finally, that if any of the nominations are confirmed, the motions to reconsider be considered made and laid upon the table and the President be immediately notified of the Senate's action.

The PRESIDING OFFICER. Without objection, it is so ordered.

Mr. SCHUMER. Mr. President, for the information of Senators, there will be two rollcall votes at 11:30 a.m., two rollcall votes at 2:20 p.m., and two rollcall votes at 5:30 p.m.

ADJOURNMENT UNTIL 10 A.M. TOMORROW

Mr. SCHUMER. Mr. President, if there is no further business to come before the Senate, I ask unanimous consent that it stand adjourned under the previous order.

There being no objection, the Senate, at 6:31 p.m., adjourned until Tuesday, September 14, 2021, at 10 a.m.

NOMINATIONS

Executive nominations received by the Senate:

DEPARTMENT OF COMMERCE

MATTHEW S. AXELROD, OF MARYLAND, TO BE AN ASSISTANT SECRETARY OF COMMERCE, VICE DAVID W. MILLS, RETIRED.

VIQUAR AHMAD, OF TEXAS, TO BE AN ASSISTANT SECRETARY OF COMMERCE, VICE THOMAS F. GILMAN.

VIQUAR AHMAD, OF TEXAS, TO BE CHIEF FINANCIAL OFFICER, DEPARTMENT OF COMMERCE, VICE THOMAS F. GILMAN.

DEPARTMENT OF ENERGY

BRAD JOHN CRABTREE, OF NORTH DAKOTA, TO BE AN ASSISTANT SECRETARY OF ENERGY (FOSSIL ENERGY AND CARBON MANAGEMENT), VICE STEVEN E. WINBERG.

DEPARTMENT OF THE INTERIOR

CHARLES F. SAMS III, OF OREGON, TO BE DIRECTOR OF THE NATIONAL PARK SERVICE, VICE JONATHAN B. JARVIS.

DEPARTMENT OF THE TREASURY

JOSHUA FROST, OF NEW YORK, TO BE AN ASSISTANT SECRETARY OF THE TREASURY, VICE MATTHEW S. RUTHERFORD.

EXECUTIVE OFFICE OF THE PRESIDENT

MARIA L. PAGAN, OF PUERTO RICO, TO BE A DEPUTY UNITED STATES TRADE REPRESENTATIVE (GENEVA OFFICE), WITH THE RANK OF AMBASSADOR, VICE DENNIS SHEA.

CHRISTOPHER S. WILSON, OF THE DISTRICT OF COLUMBIA, TO BE CHIEF INNOVATION AND INTELLECTUAL PROPERTY NEGOTIATOR, OFFICE OF THE UNITED STATES TRADE REPRESENTATIVE, WITH THE RANK OF AMBASSADOR. (NEW POSITION)

DEPARTMENT OF STATE

MICHAEL BATTLE, OF GEORGIA, TO BE AMBASSADOR EXTRAORDINARY AND PLENIPOTENTIARY OF THE UNITED STATES OF AMERICA TO THE UNITED REPUBLIC OF TANZANIA.

THOMAS BARRETT, OF WISCONSIN, TO BE AMBASSADOR EXTRAORDINARY AND PLENIPOTENTIARY OF THE UNITED STATES OF AMERICA TO THE GRAND DUCHY OF LUXEMBOURG.

R. NICHOLAS BURNS, OF MASSACHUSETTS, TO BE AMBASSADOR EXTRAORDINARY AND PLENIPOTENTIARY OF THE UNITED STATES OF AMERICA TO THE PEOPLE'S REPUBLIC OF CHINA.

RAHM EMANUEL, OF ILLINOIS, TO BE AMBASSADOR EXTRAORDINARY AND PLENIPOTENTIARY OF THE UNITED STATES OF AMERICA TO JAPAN.

REBECCA ELIZA GONZALES, OF TEXAS, A CAREER MEMBER OF THE SENIOR FOREIGN SERVICE, CLASS OF MINISTER-COUNSELOR, TO BE DIRECTOR OF THE OFFICE OF FOREIGN MISSIONS, WITH RANK OF AMBASSADOR, VICE STEPHEN AKARD, RESIGNED.

UNITED STATES INTERNATIONAL DEVELOPMENT FINANCE CORPORATION

SCOTT A. NATHAN, OF MASSACHUSETTS, TO BE CHIEF EXECUTIVE OFFICER OF THE UNITED STATES INTERNATIONAL DEVELOPMENT FINANCE CORPORATION, VICE ADAM SETH BOEHLER.

AFRICAN DEVELOPMENT BANK

OREN E. WHYCHE-SHAW, OF MARYLAND, TO BE UNITED STATES DIRECTOR OF THE AFRICAN DEVELOPMENT BANK FOR A TERM OF FIVE YEARS, VICE J. STEVEN DOWD.

CORPORATION FOR NATIONAL AND COMMUNITY SERVICE

LESLIE N. BLUHM, OF ILLINOIS, TO BE A MEMBER OF THE BOARD OF DIRECTORS OF THE CORPORATION FOR NATIONAL AND COMMUNITY SERVICE FOR A TERM EXPIRING OCTOBER 6, 2023, VICE PHYLLIS NICHAMOFF SEGAL, TERM EXPIRED.

LISETTE NIEVES, OF NEW YORK, TO BE A MEMBER OF THE BOARD OF DIRECTORS OF THE CORPORATION FOR NATIONAL AND COMMUNITY SERVICE FOR A TERM EXPIRING OCTOBER 6, 2022, VICE RICHARD CHRISTMAN, TERM EXPIRED.

LISETTE NIEVES, OF NEW YORK, TO BE A MEMBER OF THE BOARD OF DIRECTORS OF THE CORPORATION FOR NATIONAL AND COMMUNITY SERVICE FOR A TERM EXPIRING OCTOBER 6, 2027. (REAPPOINTMENT)

FLOR ROMERO, OF CALIFORNIA, TO BE A MEMBER OF THE BOARD OF DIRECTORS OF THE CORPORATION FOR NATIONAL AND COMMUNITY SERVICE FOR A TERM EXPIRING DECEMBER 1, 2025, VICE MARK D. GEARAN, TERM EXPIRED.

FEDERAL RETIREMENT THRIFT INVESTMENT BOARD

DANA KATHERINE BILYEU, OF NEVADA, TO BE A MEMBER OF THE FEDERAL RETIREMENT THRIFT INVESTMENT BOARD FOR A TERM EXPIRING OCTOBER 11, 2023. (REAPPOINTMENT)

LEONA M. BRIDGES, OF CALIFORNIA, TO BE A MEMBER OF THE FEDERAL RETIREMENT THRIFT INVESTMENT BOARD FOR A TERM EXPIRING OCTOBER 11, 2023. VICE WILLIAM S. JASSEN, TERM EXPIRED.

STACIE OLIVARES, OF CALIFORNIA, TO BE A MEMBER OF THE FEDERAL RETIREMENT THRIFT INVESTMENT BOARD FOR A TERM EXPIRING SEPTEMBER 25, 2024, VICE RONALD DAVID MCCRAY, TERM EXPIRED.

JAVIER E. SAADE, OF THE DISTRICT OF COLUMBIA, TO BE A MEMBER OF THE FEDERAL RETIREMENT THRIFT INVESTMENT BOARD FOR A TERM EXPIRING OCTOBER 11, 2022, VICE DAVID AVREN JONES, TERM EXPIRED.

JAVIER E. SAADE, OF THE DISTRICT OF COLUMBIA, TO BE A MEMBER OF THE FEDERAL RETIREMENT THRIFT INVESTMENT BOARD FOR A TERM EXPIRING OCTOBER 11, 2026. (REAPPOINTMENT)

MERIT SYSTEMS PROTECTION BOARD

TRISTAN LYNN LEAVITT, OF IDAHO, TO BE A MEMBER OF THE MERIT SYSTEMS PROTECTION BOARD FOR THE TERM OF SEVEN YEARS EXPIRING MARCH 1, 2023, VICE SUSAN TSUI GRUNDMANN, TERM EXPIRED.

IN THE COAST GUARD

THE FOLLOWING NAMED OFFICERS FOR APPOINTMENT IN THE UNITED STATES COAST GUARD TO THE GRADE INDICATED UNDER TITLE 14, U.S.C., SECTION 2121(E):

To be rear admiral (lower half)

CAPT. WAYNE R. ARGUIN
CAPT. DAVID J. BARATA
CAPT. JOANN F. BURDIAN
CAPT. JOSEPH R. BUZZELLA
CAPT. REBECCA E. ORE
CAPT. MICHAEL PLATT
CAPT. SEAN P. REGAN
CAPT. JOHN C. VANN

THE FOLLOWING NAMED OFFICER FOR APPOINTMENT TO SERVE AS THE DIRECTOR OF THE COAST GUARD RESERVE IN THE GRADE INDICATED UNDER TITLE 14, U.S.C., SECTION 309 (B):

To be rear admiral (upper half)

REAR ADM. JAMES M. KELLY

IN THE AIR FORCE

THE FOLLOWING NAMED OFFICER FOR APPOINTMENT IN THE UNITED STATES AIR FORCE TO THE GRADE INDICATED WHILE ASSIGNED TO A POSITION OF IMPORTANCE AND RESPONSIBILITY UNDER TITLE 10, U.S.C., SECTION 601:

To be lieutenant general

MAJ. GEN. LANCE K. LANDRUM

IN THE MARINE CORPS

THE FOLLOWING NAMED OFFICER FOR APPOINTMENT IN THE UNITED STATES MARINE CORPS TO THE GRADE INDICATED UNDER TITLE 10, U.S.C., SECTION 624:

To be brigadier general

COL. MATTHEW S. REID

THE FOLLOWING NAMED OFFICER FOR APPOINTMENT IN THE UNITED STATES MARINE CORPS TO THE GRADE INDICATED WHILE ASSIGNED TO A POSITION OF IMPORTANCE AND RESPONSIBILITY UNDER TITLE 10, U.S.C., SECTION 601:

To be lieutenant general

MAJ. GEN. MICHAEL E. LANGLEY

THE FOLLOWING NAMED OFFICER FOR APPOINTMENT IN THE UNITED STATES MARINE CORPS TO THE GRADE INDICATED WHILE ASSIGNED TO A POSITION OF IMPORTANCE AND RESPONSIBILITY UNDER TITLE 10, U.S.C., SECTION 601:

To be lieutenant general

MAJ. GEN. GREGG P. OLSON

IN THE NAVY

THE FOLLOWING NAMED OFFICER FOR APPOINTMENT IN THE UNITED STATES NAVY TO THE GRADE INDICATED WHILE ASSIGNED TO A POSITION OF IMPORTANCE AND RESPONSIBILITY UNDER TITLE 10, U.S.C., SECTION 601:

To be vice admiral

VICE ADM. COLIN J. KILRAIN

IN THE AIR FORCE

THE FOLLOWING NAMED OFFICER FOR APPOINTMENT TO THE GRADE INDICATED IN THE UNITED STATES AIR FORCE UNDER TITLE 10, U.S.C., SECTION 624:

To be major

KODY A. WILSON

THE FOLLOWING NAMED OFFICERS FOR APPOINTMENT TO THE GRADE INDICATED IN THE UNITED STATES AIR FORCE UNDER TITLE 10, U.S.C., SECTION 624:

To be major

NICOLE MARIE BERMUDEZ BECK
LAURA HENDERSON BROCH
REBECCA A. BUCKMILLER
ANTHONY J. CARILLO
AUSTIN MICHAEL DURAN
MARK P. HALLING
SKYLER M. LAZELLE
LAURA M. MARSHALL
ANDREA N. MCCLARTY
JONATHAN R. SADDLER
HERMES Y. SILVA

IN THE ARMY

THE FOLLOWING NAMED OFFICER FOR APPOINTMENT TO THE GRADE INDICATED IN THE UNITED STATES ARMY JUDGE ADVOCATE GENERAL'S CORPS UNDER TITLE 10, U.S.C., SECTIONS 624 AND 7064:

To be major

BRYAN T. JACK

THE FOLLOWING NAMED OFFICER FOR APPOINTMENT TO THE GRADE INDICATED IN THE RESERVE OF THE ARMY UNDER TITLE 10, U.S.C., SECTION 12203:

To be colonel

MARCI J. SAM

THE FOLLOWING NAMED OFFICER FOR APPOINTMENT TO THE GRADE INDICATED IN THE UNITED STATES ARMY JUDGE ADVOCATE GENERAL'S CORPS UNDER TITLE 10, U.S.C., SECTIONS 624 AND 7064:

To be major

JENNIFER M. A. BROMM

THE FOLLOWING NAMED OFFICER FOR APPOINTMENT TO THE GRADE INDICATED IN THE RESERVE OF THE ARMY UNDER TITLE 10, U.S.C., SECTION 12203:

To be colonel

TRAVIS C. CARPENTER

THE FOLLOWING NAMED OFFICER FOR APPOINTMENT TO THE GRADE INDICATED IN THE UNITED STATES ARMY UNDER TITLE 10, U.S.C. SECTION 624:

To be lieutenant colonel

MICHAEL C. WALLET

THE FOLLOWING NAMED OFFICER FOR APPOINTMENT TO THE GRADE INDICATED IN THE RESERVE OF THE ARMY UNDER TITLE 10, U.S.C., SECTION 12203:

To be colonel

SHAWN D. WRAY

THE FOLLOWING NAMED OFFICER FOR APPOINTMENT TO THE GRADE INDICATED IN THE UNITED STATES ARMY UNDER TITLE 10, U.S.C. SECTION 624:

To be major

JORDAN L. WOODBURN

THE FOLLOWING NAMED OFFICER FOR APPOINTMENT TO THE GRADE INDICATED IN THE UNITED STATES ARMY UNDER TITLE 10, U.S.C., SECTION 7436(A):

To be colonel

COREY M. JAMES

THE FOLLOWING NAMED OFFICER FOR APPOINTMENT TO THE GRADE INDICATED IN THE RESERVE OF THE ARMY UNDER TITLE 10, U.S.C., SECTION 12203:

To be colonel

DAVID MELENDEZ

THE FOLLOWING NAMED OFFICER FOR APPOINTMENT TO THE GRADE INDICATED IN THE UNITED STATES ARMY UNDER TITLE 10, U.S.C. SECTION 624:

To be lieutenant colonel

JOHN C. BOYLE

THE FOLLOWING NAMED OFFICER FOR APPOINTMENT TO THE GRADE INDICATED IN THE UNITED STATES ARMY UNDER TITLE 10, U.S.C., SECTION 624:

To be major

JENNIFER N. PENDLETON

THE FOLLOWING NAMED OFFICER FOR APPOINTMENT TO THE GRADE INDICATED IN THE UNITED STATES ARMY UNDER TITLE 10, U.S.C. SECTION 624:

To be colonel

KEVIN A. POOLE

THE FOLLOWING NAMED OFFICER FOR APPOINTMENT TO THE GRADE INDICATED IN THE RESERVE OF THE ARMY UNDER TITLE 10, U.S.C., SECTION 12203:

To be colonel

DANIEL J. CARLSON

THE FOLLOWING NAMED INDIVIDUAL FOR APPOINTMENT TO THE GRADE INDICATED IN THE REGULAR ARMY UNDER TITLE 10, U.S.C., SECTION 531:

To be major

DMITRIY KALANTAROV

IN THE NAVY

THE FOLLOWING NAMED OFFICER FOR APPOINTMENT TO THE GRADE INDICATED IN THE UNITED STATES NAVY UNDER TITLE 10, U.S.C., SECTION 624:

To be lieutenant commander

WILLIAM T. T. CHEN

THE FOLLOWING NAMED OFFICER FOR APPOINTMENT TO THE GRADE INDICATED IN THE UNITED STATES NAVY UNDER TITLE 10, U.S.C., SECTION 624:

To be captain

CRAIG A. CLUTTS

THE FOLLOWING NAMED OFFICER FOR APPOINTMENT TO THE GRADE INDICATED IN THE UNITED STATES NAVY UNDER TITLE 10, U.S.C., SECTION 624:

To be captain

CHRISTOPHER J. GOODSON

THE FOLLOWING NAMED OFFICER FOR APPOINTMENT IN THE GRADE INDICATED IN THE REGULAR NAVY UNDER TITLE 10, U.S.C., SECTIONS 531 AND 716:

To be lieutenant commander

BRETT E. GRADY

THE FOLLOWING NAMED INDIVIDUAL FOR APPOINTMENT TO THE GRADE INDICATED IN THE UNITED STATES NAVY RESERVE UNDER TITLE 10, U.S.C., SECTION 12203:

To be captain

IGNACIO I. MENDIGUREN

CONFIRMATIONS

Executive nominations confirmed by the Senate: September 13, 2021:

DEPARTMENT OF STATE

BRETT M. HOLMGREN, OF MINNESOTA, TO BE AN ASSISTANT SECRETARY OF STATE (INTELLIGENCE AND RESEARCH).

BRIAN A. NICHOLS, OF RHODE ISLAND, A CAREER MEMBER OF THE SENIOR FOREIGN SERVICE, CLASS OF CAREER MINISTER, TO BE AN ASSISTANT SECRETARY OF STATE (WESTERN HEMISPHERE AFFAIRS).

DONALD LU, OF CALIFORNIA, A CAREER MEMBER OF THE SENIOR FOREIGN SERVICE, CLASS OF MINISTER-COUNSELOR, TO BE ASSISTANT SECRETARY OF STATE FOR SOUTH ASIAN AFFAIRS.

WITHDRAWAL

Executive Message transmitted by the President to the Senate on September 13, 2021 withdrawing from further Senate consideration the following nomination:

DAVID H. CHIPMAN, OF VIRGINIA, TO BE DIRECTOR, BUREAU OF ALCOHOL, TOBACCO, FIREARMS, AND EXPLOSIVES, VICE BYRON TODD JONES, RESIGNED, WHICH WAS SENT TO THE SENATE ON APRIL 12, 2021.

EXTENSIONS OF REMARKS

SENATE COMMITTEE MEETINGS

Title IV of Senate Resolution 4, agreed to by the Senate of February 4, 1977, calls for establishment of a system for a computerized schedule of all meetings and hearings of Senate committees, subcommittees, joint committees, and committees of conference. This title requires all such committees to notify the Office of the Senate Daily Digest—designated by the Rules Committee—of the time, place and purpose of the meetings, when scheduled and any cancellations or changes in the meetings as they occur.

As an additional procedure along with the computerization of this information, the Office of the Senate Daily Digest will prepare this information for printing in the Extensions of Remarks section of the CONGRESSIONAL RECORD on Monday and Wednesday of each week.

Meetings scheduled for Tuesday, September 14, 2021 may be found in the Daily Digest of today's RECORD.

MEETINGS SCHEDULED

SEPTEMBER 15

9:30 a.m.

Committee on Agriculture, Nutrition, and Forestry

Subcommittee on Livestock, Dairy, Poultry, Local Food Systems, and Food Safety and Security

To hold hearings to examine milk pricing, focusing on areas for improvement and reform.

SR-301

Committee on Banking, Housing, and Urban Affairs

Business meeting to consider the nominations of Brian Eddie Nelson, of California, to be Under Secretary for Terrorism and Financial Crimes, and Elizabeth Rosenberg, of Vermont, to be Assistant Secretary for Terrorist Financing, both of the Department of the Treasury, and Julia Ruth Gordon, of Maryland, David Uejio, of California, and Solomon Jeffrey Greene, of the District of Columbia, each to be an Assistant Secretary of Housing and Urban Development.

SD-419

Committee on Environment and Public Works

Business meeting to consider S. 2205, to designate the United States courthouse located at 201 South Evans Street in Greenville, North Carolina, as the "Malcolm J. Howard United States Courthouse", S. 2126, to designate the Federal Office Building located at 308 W. 21st Street in Cheyenne, Wyoming, as the "Louisa Swain Federal Office Building", S. 1226, to designate the United States courthouse located at 1501 North 6th Street in Harrisburg, Pennsylvania, as the "Sylvia H. Rambo United States Courthouse", S. 233, to

designate the Rocksprings Station of the U.S. Border Patrol located on West Main Street in Rocksprings, Texas, as the "Donna M. Doss Border Patrol Station", the nominations of Jeffrey M. Prieto, of California, to be an Assistant Administrator of the Environmental Protection Agency, Michael Lee Connor, of Colorado, to be an Assistant Secretary of the Army, Department of Defense, Stephen A. Owens, of Arizona, Jennifer Beth Sass, of Maryland, and Sylvia E. Johnson, of North Carolina, each to be a Member of the Chemical Safety and Hazard Investigation Board, and 9 General Services Administration resolutions; to be immediately followed by a hearing to examine the nominations of Amanda Howe, of Virginia, and David M. Uhlmann, of Michigan, both to be an Assistant Administrator, and Carlton Waterhouse, of Virginia, to be Assistant Administrator, Office of Solid Waste, all of the Environmental Protection Agency.

SD-406

9:45 a.m.

Committee on the Judiciary

Business meeting to consider S. 1787, to amend title 28 of the United States Code to prevent the transfer of actions arising under the antitrust laws in which a State is a complainant, S. 2502, to provide first-time, low-level, non-violent simple possession offenders an opportunity to expunge that conviction after successful completion of court-imposed probation, and the nominations of Toby J. Heytens, of Virginia, to be United States Circuit Judge for the Fourth Circuit, Patricia Tolliver Giles, and Michael S. Nachmanoff, both to be a United States District Judge for the Eastern District of Virginia, Sarala Vidya Nagala, and Omar Antonio Williams, both to be a United States District Judge for the District of Connecticut, and Hampton Y. Dellinger, of North Carolina, to be an Assistant Attorney General, Department of Justice.

SH-216

10 a.m.

Committee on the Judiciary

To hold hearings to examine the Inspector General's report on the Federal Bureau of Investigation's handling of the Larry Nassar investigation.

SH-216

10:30 a.m.

Committee on Foreign Relations

To hold hearings to examine the nominations of Julieta Valls Noyes, of Virginia, to be an Assistant Secretary (Population, Refugees, and Migration), and Denise Campbell Bauer, of California, to be Ambassador to the French Republic, and to serve concurrently and without additional compensation as Ambassador to the Principality of Monaco, both of the Department of State, and other pending nominations.

SD-G50/VTC

2:30 p.m.

Committee on Foreign Relations

To hold hearings to examine the nominations of C.S. Eliot Kang, of New Jersey, to be an Assistant Secretary (International Security and Non-Proliferation), Adam Scheinman, of Virginia, to be Special Representative of the President for Nuclear Nonproliferation, with the rank of Ambassador, Marcia Stephens Bloom Bernicat, of New Jersey, to be Director General of the Foreign Service, Bathsheba Nell Crocker, of the District of Columbia, to be Representative of the United States of America to the Office of the United Nations and Other International Organizations in Geneva, with the rank of Ambassador, and Michael Carpenter, of the District of Columbia, to be U.S. Representative to the Organization for Security and Cooperation in Europe, all of the Department of State.

VTC

SEPTEMBER 21

9:30 a.m.

Committee on Homeland Security and Governmental Affairs

To hold hearings to examine the landscape 20 years after 9/11, focusing on threats to the homeland.

SD-342

10 a.m.

Committee on Energy and Natural Resources

To hold hearings to examine the nominations of Laura Daniel-Davis, of Virginia, to be an Assistant Secretary, and M. Camille Calimlim Touton, of Nevada, to be Commissioner of Reclamation, both of the Department of the Interior, and Sara C. Bronin, of Connecticut, to be Chairman of the Advisory Council on Historic Preservation.

SD-366

POSTPONEMENTS

SEPTEMBER 15

10 a.m.

Committee on Commerce, Science, and Transportation

Business meeting to consider the nominations of Alexander Hoehn-Saric, of Maryland, Mary T. Boyle, of Maryland, and Richard Trumka, Jr., of Maryland, each to be a Commissioner of the Consumer Product Safety Commission, and Grant T. Harris, of California, to be an Assistant Secretary of Commerce; to be immediately followed by a hearing to examine the nominations of Victoria Marie Baecher Wassmer, of the District of Columbia, to be Chief Financial Officer, Mohsin Raza Syed, of Virginia, to be an Assistant Secretary, and Amitabha Bose, of New Jersey, to be Administrator of the Federal Railroad Administration, all of the Department of Transportation, and Meera Joshi, of Pennsylvania, to be Administrator of the Federal Motor Carrier Safety Administration.

SR-253

• This "bullet" symbol identifies statements or insertions which are not spoken by a Member of the Senate on the floor.

Matter set in this typeface indicates words inserted or appended, rather than spoken, by a Member of the House on the floor.

Daily Digest

HIGHLIGHTS

See Résumé of Congressional Activity.

Senate

Chamber Action

Routine Proceedings, pages S6439–S6462

Measures Introduced: Thirteen bills and two resolutions were introduced, as follows: S. 2713–2725, and S. Res. 355–356. **Pages S6455–56**

Kvaal Nomination—Agreement: Senate resumed consideration of the nomination of James Richard Kvaal, of Massachusetts, to be Under Secretary of Education. **Pages S6441–46, S6451–52**

During consideration of this nomination today, Senate also took the following action:

By 55 yeas to 37 nays (Vote No. EX. 359), Senate agreed to the motion to close further debate on the nomination. **Page S6451**

A unanimous-consent agreement was reached providing for further consideration of the nomination, post-cloture, at approximately 10 a.m., on Tuesday, September 14, 2021; that all post-cloture time on the nomination expire at 11:30 a.m.; that if cloture is invoked on the nomination of David G. Estudillo, to be United States District Judge for the Western District of Washington, all post-cloture time on the nomination expire at 2:20 p.m.; and that if cloture is invoked on the nomination of Angel Kelley, to be United States District Judge for the District of Massachusetts, all post-cloture time expire at 5:30 p.m. **Page S6461**

Nominations Confirmed: Senate confirmed the following nominations:

Brian A. Nichols, of Rhode Island, to be an Assistant Secretary of State (Western Hemisphere Affairs). **Pages S6450–51**

Brett M. Holmgren, of Minnesota, to be an Assistant Secretary of State (Intelligence and Research). **Page S6450**

Donald Lu, of California, to be Assistant Secretary of State for South Asian Affairs. **Pages S6449–50**

Nominations Received: Senate received the following nominations:

Matthew S. Axelrod, of Maryland, to be an Assistant Secretary of Commerce.

Viquar Ahmad, of Texas, to be an Assistant Secretary of Commerce.

Viquar Ahmad, of Texas, to be Chief Financial Officer, Department of Commerce.

Brad John Crabtree, of North Dakota, to be an Assistant Secretary of Energy (Fossil Energy and Carbon Management).

Charles F. Sams III, of Oregon, to be Director of the National Park Service.

Joshua Frost, of New York, to be an Assistant Secretary of the Treasury.

Maria L. Pagan, of Puerto Rico, to be a Deputy United States Trade Representative (Geneva Office), with the rank of Ambassador.

Christopher S. Wilson, of the District of Columbia, to be Chief Innovation and Intellectual Property Negotiator, Office of the United States Trade Representative, with the rank of Ambassador.

Michael Battle, of Georgia, to be Ambassador to the United Republic of Tanzania.

Thomas Barrett, of Wisconsin, to be Ambassador to the Grand Duchy of Luxembourg.

R. Nicholas Burns, of Massachusetts, to be Ambassador to the People's Republic of China.

Rahm Emanuel, of Illinois, to be Ambassador to Japan.

Rebecca Eliza Gonzales, of Texas, to be Director of the Office of Foreign Missions, with rank of Ambassador.

Scott A. Nathan, of Massachusetts, to be Chief Executive Officer of the United States International Development Finance Corporation.

Oren E. Whyche-Shaw, of Maryland, to be United States Director of the African Development Bank for a term of five years.

Leslie N. Bluhm, of Illinois, to be a Member of the Board of Directors of the Corporation for National and Community Service for a term expiring October 6, 2023.

Lisette Nieves, of New York, to be a Member of the Board of Directors of the Corporation for National and Community Service for a term expiring October 6, 2022.

Lisette Nieves, of New York, to be a Member of the Board of Directors of the Corporation for National and Community Service for a term expiring October 6, 2027.

Flor Romero, of California, to be a Member of the Board of Directors of the Corporation for National and Community Service for a term expiring December 1, 2025.

Dana Katherine Bilyeu, of Nevada, to be a Member of the Federal Retirement Thrift Investment Board for a term expiring October 11, 2023.

Leona M. Bridges, of California, to be a Member of the Federal Retirement Thrift Investment Board for a term expiring October 11, 2023.

Stacie Olivares, of California, to be a Member of the Federal Retirement Thrift Investment Board for a term expiring September 25, 2024.

Javier E. Saade, of the District of Columbia, to be a Member of the Federal Retirement Thrift Investment Board for a term expiring October 11, 2022.

Javier E. Saade, of the District of Columbia, to be a Member of the Federal Retirement Thrift Investment Board for a term expiring October 11, 2026.

Tristan Lynn Leavitt, of Idaho, to be a Member of the Merit Systems Protection Board for the term of seven years expiring March 1, 2023.

1 Air Force nomination in the rank of general.

9 Coast Guard nominations in the rank of admiral.

3 Marine Corps nominations in the rank of general.

1 Navy nomination in the rank of admiral.

Routine lists in the Air Force, Army, and Navy.

Page S6461

Nomination Withdrawn: Senate received notification of withdrawal of the following nomination:

David H. Chipman, of Virginia, to be Director, Bureau of Alcohol, Tobacco, Firearms, and Explosives, which was sent to the Senate on April 12, 2021.

Page S6462

Messages from the House:

Pages S6454–55

Additional Cosponsors:

Pages S6456–58

Statements on Introduced Bills/Resolutions:

Pages S6458–61

Additional Statements:

Pages S6453–54

Record Votes: One record vote was taken today. (Total—359)

Page S6451

Adjournment: Senate convened at 3 p.m. and adjourned at 6:31 p.m., until 10 a.m. on Tuesday, September 14, 2021. (For Senate's program, see the remarks of the Majority Leader in today's Record on page S6461.)

Committee Meetings

(Committees not listed did not meet)

No committee meetings were held.

House of Representatives

Chamber Action

The House was not in session today. The House is scheduled to meet in Pro Forma session at 11 a.m. on Tuesday, September 14, 2021.

Committee Meetings

MISCELLANEOUS MEASURE

Committee on Agriculture: Full Committee concluded a markup on a proposal to satisfy the Committee's reconciliation instructions required by S. Con. Res. 14. Proposal to satisfy the Committee's reconciliation instructions required by S. Con. Res. 14 was ordered reported, without amendment.

MISCELLANEOUS MEASURES

Committee on Energy and Commerce: Full Committee began a markup on legislative recommendations to comply with the reconciliation directive included in section 2002 of the Concurrent Resolution on the Budget for Fiscal Year 2022, S. Con. Res. 14.

MISCELLANEOUS MEASURES

Committee on Financial Services: Full Committee began a markup on H.R. 5196, the "Expediting Assistance to Renters and Landlords Act of 2021"; H.R. 5195, the "Native American Housing Assistance and Self-Determination Reauthorization Act of 2021"; and the Committee Print providing for reconciliation pursuant to S. Con. Res. 14, the Concurrent Resolution on the Budget for Fiscal Year 2022.

AFGHANISTAN 2001–2021: EVALUATING THE WITHDRAWAL AND U.S. POLICIES—PART I

Committee on Foreign Affairs: Full Committee held a hearing entitled “Afghanistan 2001–2021: Evaluating the Withdrawal and U.S. Policies—Part I”. Testimony was heard from Antony J. Blinken, Secretary, Department of State.

MISCELLANEOUS MEASURES

Committee on the Judiciary: Full Committee held a markup on legislative proposals to comply with the reconciliation directive included in section 2002 of the Concurrent Resolution on the Budget for Fiscal Year 2022 (S. Con. Res. 14). Legislative proposals to comply with the reconciliation directive included in section 2002 of the Concurrent Resolution on the Budget for Fiscal Year 2022 (S. Con. Res. 14) were ordered reported, as amended.

ORGANIZATIONAL MEETING; MISCELLANEOUS MEASURES

Committee on Veterans’ Affairs: Full Committee held an organizational meeting; and markup on legislative proposals to comply with the reconciliation directive included in section 2002 of the Concurrent Resolution on the Budget for Fiscal Year 2022, S. Con. Res. 14. Subcommittee Assignments were approved. Legislative proposals to comply with the reconciliation directive included in section 2002 of the Concurrent Resolution on the Budget for Fiscal Year 2022, S. Con. Res. 14 were ordered reported, as amended.

Joint Meetings

No joint committee meetings were held.

NEW PUBLIC LAWS

(For last listing of Public Laws, see DAILY DIGEST, p. D911)

H.R. 1448, to direct the Secretary of Veterans Affairs to carry out a pilot program on dog training therapy, and to amend title 38, United States Code, to authorize the Secretary of Veterans Affairs to provide service dogs to veterans with mental illnesses who do not have mobility impairments. Signed on August 25, 2021. (Public Law 117–37)

H.R. 3642, to award a Congressional gold medal to the 369th Infantry Regiment, commonly known as the “Harlem Hellfighters”, in recognition of their bravery and outstanding service during World War I. Signed on August 25, 2021. (Public Law 117–38)

H.R. 5085, to amend section 1113 of the Social Security Act to provide authority for increased payments for temporary assistance to United States citi-

zens returned from foreign countries. Signed on August 31, 2021. (Public Law 117–39)

COMMITTEE MEETINGS FOR TUESDAY, SEPTEMBER 14, 2021

(Committee meetings are open unless otherwise indicated)

Senate

Committee on Armed Services: to receive a closed briefing on recent events in Afghanistan, 3:30 p.m., SVC–217.

Committee on Banking, Housing, and Urban Affairs: to hold an oversight hearing to examine the United States Securities and Exchange Commission, 10 a.m., SD–538.

Committee on Foreign Relations: to hold hearings to examine the United States withdrawal from Afghanistan, 10 a.m., SD–106/VTC.

Committee on Homeland Security and Governmental Affairs: to hold hearings to examine the nominations of Tovah R. Calderon, to be an Associate Judge of the District of Columbia Court of Appeals, and Kenia Seoane Lopez, Rupa Ranga Puttagunta, and Sean C. Staples, each to be an Associate Judge of the Superior Court of the District of Columbia, 2:30 p.m., SD–342/VTC.

Committee on the Judiciary: to hold hearings to examine the nominations of Beth Robinson, of Vermont, to be United States Circuit Judge for the Second Circuit, Jennifer Sung, of Oregon, to be United States Circuit Judge for the Ninth Circuit, Rahul Gupta, of West Virginia, to be Director of National Drug Control Policy, and Elizabeth Prelogar, of Idaho, to be Solicitor General of the United States, Department of Justice, 10 a.m., SD–226.

Select Committee on Intelligence: to receive a closed briefing on certain intelligence matters, 2:30 p.m., SH–219.

House

Committee on Energy and Commerce, Full Committee, continue markup on legislative recommendations to comply with the reconciliation directive included in section 2002 of the Concurrent Resolution on the Budget for Fiscal Year 2022, S. Con. Res. 14, 10 a.m., 2123 Rayburn and Webex.

Committee on Financial Services, Full Committee, continue markup on H.R. 5196, the “Expediting Assistance to Renters and Landlords Act of 2021”; H.R. 5195, the “Native American Housing Assistance and Self-Determination Reauthorization Act of 2021”; and the Committee Print providing for reconciliation pursuant to S. Con. Res. 14, the Concurrent Resolution on the Budget for Fiscal Year 2022, 10:45 a.m., 2128 Rayburn and Webex.

Committee on Homeland Security, Full Committee, markup on legislative proposals to comply with the reconciliation directive included in section 2002 of the Concurrent Resolution on the Budget for Fiscal Year 2022, S. Con. Res. 14, 12 p.m., 310 Cannon and Webex.

Committee on Small Business, Full Committee, hearing entitled “National Small Business Week: Celebrating our Main Street Champions”, 11 a.m., Zoom.

Committee on Transportation and Infrastructure, Full Committee, markup on legislative proposals to comply with the reconciliation directive included in section 2002 of the Concurrent Resolution on the Budget for Fiscal Year 2022, S. Con. Res. 14, 10 a.m., 2167 Rayburn and Zoom.

Committee on Ways and Means, Full Committee, continue markup on Legislative proposals to comply with the reconciliation directive included in section 2002 of the Concurrent Resolution on the Budget for Fiscal Year 2022, S. Con. Res. 14, 9 a.m., 1100 Longworth and Webex.

CONGRESSIONAL PROGRAM AHEAD

Week of September 14 through September 17,
2021

Senate Chamber

On *Tuesday*, Senate will continue consideration of the nomination of James Richard Kvaal, of Massachusetts, to be Under Secretary of Education, post-cloture, and vote on confirmation thereon at 11:30 a.m.

Following disposition of the nomination of James Richard Kvaal, Senate will vote on the motion to invoke cloture on the nomination of David G. Estudillo, to be United States District Judge for the Western District of Washington. If cloture is invoked on the nomination, Senate will vote on confirmation thereon at 2:20 p.m.

Following disposition of the nomination of David G. Estudillo, Senate will vote on the motion to invoke cloture on the nomination of Angel Kelley, to be United States District Judge for the District of Massachusetts. If cloture is invoked on the nomination, Senate will vote on confirmation thereon at 5:30 p.m.

Following disposition of the nomination of Angel Kelley, Senate will vote on the motion to invoke cloture on the nomination of Veronica S. Rossman, of Colorado, to be United States Circuit Judge for the Tenth Circuit.

During the balance of the week, Senate may consider any cleared legislative and executive business.

Senate Committees

(Committee meetings are open unless otherwise indicated)

Committee on Agriculture, Nutrition, and Forestry: September 15, Subcommittee on Livestock, Dairy, Poultry, Local Food Systems, and Food Safety and Security, to hold hearings to examine milk pricing, focusing on areas for improvement and reform, 9:30 a.m., SR-301.

Committee on Armed Services: September 14, to receive a closed briefing on recent events in Afghanistan, 3:30 p.m., SVC-217.

Committee on Banking, Housing, and Urban Affairs: September 14, to hold an oversight hearing to examine the

United States Securities and Exchange Commission, 10 a.m., SD-538.

September 15, Full Committee, business meeting to consider the nominations of Brian Eddie Nelson, of California, to be Under Secretary for Terrorism and Financial Crimes, and Elizabeth Rosenberg, of Vermont, to be Assistant Secretary for Terrorist Financing, both of the Department of the Treasury, and Julia Ruth Gordon, of Maryland, David Uejio, of California, and Solomon Jeffrey Greene, of the District of Columbia, each to be an Assistant Secretary of Housing and Urban Development, 9:30 a.m., SD-419.

Committee on Environment and Public Works: September 15, business meeting to consider S. 2205, to designate the United States courthouse located at 201 South Evans Street in Greenville, North Carolina, as the "Malcolm J. Howard United States Courthouse", S. 2126, to designate the Federal Office Building located at 308 W. 21st Street in Cheyenne, Wyoming, as the "Louisa Swain Federal Office Building", S. 1226, to designate the United States courthouse located at 1501 North 6th Street in Harrisburg, Pennsylvania, as the "Sylvia H. Rambo United States Courthouse", S. 233, to designate the Rocksprings Station of the U.S. Border Patrol located on West Main Street in Rocksprings, Texas, as the "Donna M. Doss Border Patrol Station", the nominations of Jeffrey M. Prieto, of California, to be an Assistant Administrator of the Environmental Protection Agency, Michael Lee Connor, of Colorado, to be an Assistant Secretary of the Army, Department of Defense, Stephen A. Owens, of Arizona, Jennifer Beth Sass, of Maryland, and Sylvia E. Johnson, of North Carolina, each to be a Member of the Chemical Safety and Hazard Investigation Board, and 9 General Services Administration resolutions; to be immediately followed by a hearing to examine the nominations of Amanda Howe, of Virginia, and David M. Uhlmann, of Michigan, both to be an Assistant Administrator, and Carlton Waterhouse, of Virginia, to be Assistant Administrator, Office of Solid Waste, all of the Environmental Protection Agency, 9:30 a.m., SD-406.

Committee on Foreign Relations: September 14, to hold hearings to examine the United States withdrawal from Afghanistan, 10 a.m., SD-106/VTC.

September 15, Full Committee, to hold hearings to examine the nominations of Julieta Valls Noyes, of Virginia, to be an Assistant Secretary (Population, Refugees, and Migration), and Denise Campbell Bauer, of California, to be Ambassador to the French Republic, and to serve concurrently and without additional compensation as Ambassador to the Principality of Monaco, both of the Department of State, and other pending nominations, 10:30 a.m., SD-G50/VTC.

September 15, Full Committee, to hold hearings to examine the nominations of C.S. Eliot Kang, of New Jersey, to be an Assistant Secretary (International Security and Non-Proliferation), Adam Scheinman, of Virginia, to be Special Representative of the President for Nuclear Non-proliferation, with the rank of Ambassador, Marcia Stephens Bloom Bernicat, of New Jersey, to be Director General of the Foreign Service, Bathsheba Nell Crocker, of the District of Columbia, to be Representative of the

United States of America to the Office of the United Nations and Other International Organizations in Geneva, with the rank of Ambassador, and Michael Carpenter, of the District of Columbia, to be U.S. Representative to the Organization for Security and Cooperation in Europe, all of the Department of State, 2:30 p.m., VTC.

Committee on Homeland Security and Governmental Affairs: September 14, to hold hearings to examine the nominations of Tovah R. Calderon, to be an Associate Judge of the District of Columbia Court of Appeals, and Kenia Seoane Lopez, Rupa Ranga Puttagunta, and Sean C. Staples, each to be an Associate Judge of the Superior Court of the District of Columbia, 2:30 p.m., SD-342/VTC.

Committee on the Judiciary: September 14, to hold hearings to examine the nominations of Beth Robinson, of Vermont, to be United States Circuit Judge for the Second Circuit, Jennifer Sung, of Oregon, to be United States Circuit Judge for the Ninth Circuit, Rahul Gupta, of West Virginia, to be Director of National Drug Control Policy, and Elizabeth Prelogar, of Idaho, to be Solicitor General of the United States, Department of Justice, 10 a.m., SD-226.

September 15, Full Committee, business meeting to consider S. 1787, to amend title 28 of the United States Code to prevent the transfer of actions arising under the antitrust laws in which a State is a complainant, S. 2502, to provide first-time, low-level, nonviolent simple posses-

sion offenders an opportunity to expunge that conviction after successful completion of court-imposed probation, and the nominations of Toby J. Heytens, of Virginia, to be United States Circuit Judge for the Fourth Circuit, Patricia Tolliver Giles, and Michael S. Nachmanoff, both to be a United States District Judge for the Eastern District of Virginia, Sarala Vidya Nagala, and Omar Antonio Williams, both to be a United States District Judge for the District of Connecticut, and Hampton Y. Dellinger, of North Carolina, to be an Assistant Attorney General, Department of Justice, 9:45 a.m., SH-216.

September 15, Full Committee, to hold hearings to examine the Inspector General's report on the Federal Bureau of Investigation's handling of the Larry Nassar investigation, 10 a.m., SH-216.

Select Committee on Intelligence: September 14, to receive a closed briefing on certain intelligence matters, 2:30 p.m., SH-219.

House Committees

Committee on Ways and Means, September 15, Full Committee, continue markup on Legislative proposals to comply with the reconciliation directive included in section 2002 of the Concurrent Resolution on the Budget for Fiscal Year 2022, S. Con. Res. 14, 9 a.m., 1100 Longworth and Webex.

Résumé of Congressional Activity

FIRST SESSION OF THE ONE HUNDRED SEVENTEENTH CONGRESS

The first table gives a comprehensive résumé of all legislative business transacted by the Senate and House.

The second table accounts for all nominations submitted to the Senate by the President for Senate confirmation.

DATA ON LEGISLATIVE ACTIVITY

January 3 through August 31, 2021

| | <i>Senate</i> | <i>House</i> | <i>Total</i> |
|--------------------------------------|---------------|---------------|--------------|
| Days in session | 128 | 110 | .. |
| Time in session | 727 hrs., 39' | 456 hrs., 50' | .. |
| Congressional Record: | | | |
| Pages of proceedings | 6,431 | 4,502 | .. |
| Extensions of Remarks | .. | 945 | .. |
| Public bills enacted into law | 18 | 25 | .. |
| Private bills enacted into law | .. | .. | .. |
| Bills in conference | .. | .. | .. |
| Measures passed, total | 287 | 327 | 614 |
| Senate bills | 63 | 13 | .. |
| House bills | 25 | 216 | .. |
| Senate joint resolutions | 3 | 3 | .. |
| House joint resolutions | 1 | 2 | .. |
| Senate concurrent resolutions | 4 | 4 | .. |
| House concurrent resolutions | 4 | 6 | .. |
| Simple resolutions | 187 | 83 | .. |
| Measures reported, total | *104 | 111 | 215 |
| Senate bills | 63 | .. | .. |
| House bills | 3 | 81 | .. |
| Senate joint resolutions | 1 | .. | .. |
| House joint resolutions | .. | 1 | .. |
| Senate concurrent resolutions | .. | .. | .. |
| House concurrent resolutions | .. | .. | .. |
| Simple resolutions | 37 | 29 | .. |
| Special reports | 8 | 6 | .. |
| Conference reports | .. | .. | .. |
| Measures pending on calendar | 63 | 21 | .. |
| Measures introduced, total | 3,095 | 5,860 | 8,955 |
| Bills | 2,703 | 5,136 | .. |
| Joint resolutions | 24 | 57 | .. |
| Concurrent resolutions | 14 | 49 | .. |
| Simple resolutions | 354 | 618 | .. |
| Quorum calls | 4 | 1 | .. |
| Yea-and-nay votes | 358 | 259 | .. |
| Recorded votes | .. | .. | .. |
| Bills vetoed | .. | .. | .. |
| Veto overridden | .. | .. | .. |

DISPOSITION OF EXECUTIVE NOMINATIONS

January 3 through August 31, 2021

| | |
|--|--------|
| Civilian nominees, totaling 502, disposed of as follows: | |
| Confirmed | 149 |
| Unconfirmed | 310 |
| Withdrawn | 43 |
| Other Civilian nominees, totaling 1,629, disposed of as follows: | |
| Confirmed | 1,119 |
| Unconfirmed | 510 |
| Air Force nominees, totaling 5,507, disposed of as follows: | |
| Confirmed | 5,227 |
| Unconfirmed | 280 |
| Army nominees, totaling 5,984, disposed of as follows: | |
| Confirmed | 5,045 |
| Unconfirmed | 939 |
| Navy nominees, totaling 1,646, disposed of as follows: | |
| Confirmed | 1,643 |
| Unconfirmed | 3 |
| Marine Corps nominees, totaling 579, disposed of as follows: | |
| Confirmed | 575 |
| Unconfirmed | 4 |
| Space Force nominees, totaling 1,867, disposed of as follows: | |
| Confirmed | 1,046 |
| Unconfirmed | 2 |
| Withdrawn | 819 |
| <i>Summary</i> | |
| Total nominees carried over from the First Session | 0 |
| Total nominees received this Session | 17,714 |
| Total confirmed | 14,804 |
| Total unconfirmed | 2,048 |
| Total withdrawn | 862 |
| Total returned to the White House | 0 |

*These figures include all measures reported, even if there was no accompanying report. A total of 37 written reports have been filed in the Senate, 117 reports have been filed in the House.

Next Meeting of the SENATE

10 a.m., Tuesday, September 14

Senate Chamber

Program for Tuesday: Senate will continue consideration of the nomination of James Richard Kvaal, of Massachusetts, to be Under Secretary of Education, post-cloture, and vote on confirmation thereon at 11:30 a.m.

Following disposition of the nomination of James Richard Kvaal, Senate will vote on the motion to invoke cloture on the nomination of David G. Estudillo, to be United States District Judge for the Western District of Washington. If cloture is invoked on the nomination, Senate will vote on confirmation thereon at 2:20 p.m.

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Following disposition of the nomination of Angel Kelley, Senate will vote on the motion to invoke cloture on the nomination of Veronica S. Rossman, of Colorado, to be United States Circuit Judge for the Tenth Circuit.

(Senate will recess following the vote on the motion to invoke cloture on the nomination of David G. Estudillo until 2:15 p.m. for their respective party conferences.)

Next Meeting of the HOUSE OF REPRESENTATIVES

11 a.m., Tuesday, September 14

House Chamber

Program for Tuesday: House will meet in Pro Forma session at 11 a.m.



Congressional Record

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